

**AGENDA – REGULAR MEETING
BELVEDERE CITY COUNCIL
AUGUST 9, 2021, at 6:30 P.M
Council Chambers
450 San Rafael Avenue, Belvedere, California**

Pursuant to Governor Newsom’s Executive Order N-29-20, as amended through N-08-21, City Council meetings will be held as hybrid meetings with the option to attend by teleconference/video conference or in person. Members of the public that wish to attend and/or participate in a meeting may do so in person or by joining the Zoom meeting link below. Public comments will be accepted both in person and via Zoom or telephone. The public may also submit comments in advance of the meeting by emailing the City Clerk at: clerk@cityofbelvedere.org. Please write “Public Comment” in the subject line. Comments submitted one hour prior to the commencement of the meeting will be presented to the City Council and included in the public record for the meeting. Those received after this time will be added to the record and shared with City Councilmembers after the meeting.

Pursuant to Marin County Public Health Order, all individuals are required to wear a mask covering both the nose and mouth at all times while in public indoor spaces regardless of vaccination status. Anyone attending a meeting in person must wear a facial covering which covers both the nose and mouth at all times while in attendance at the meeting.

City of Belvedere is inviting you to a scheduled Zoom meeting.

**Topic: Belvedere Regular City Council Meeting
Time: August 9, 2021, 6:30 P.M.
Join Zoom Meeting:**

<https://us02web.zoom.us/j/88140066730?pwd=ZkZ2d3M3ckl0TTdLVHRMbkrRkL21KUT09>

**Webinar ID: 881 4006 6730
Passcode: 755802
877 853 5247 US Toll-free
888 788 0099 US Toll-free**

For members of the public using the Zoom video conference function, those who wish to comment on an agenda item should write “I wish to make a public comment” in the chat section of the remote meeting platform or use the raise hand function. At the appropriate time, the city clerk will allow public comment through the remote meeting platform. Any member of the public who needs special accommodations to access the public meeting should email the city clerk at clerk@cityofbelvedere.org, who will use her best efforts to provide assistance.

**AGENDA – REGULAR MEETING
BELVEDERE CITY COUNCIL
AUGUST 9, 2021, at 6:30 P.M.
Council Chambers
450 San Rafael Avenue, Belvedere, California**

COMMENTS ON AGENDA ITEMS BY MEMBERS OF THE AUDIENCE

The audience will be given an opportunity to speak on each agenda item when it is called. Upon being recognized by the Mayor, please state your name and address, and limit your oral statement to no more than three minutes. The Council welcomes comments and questions raised by interested citizens but typically does not respond during the comment period.

6:30 PM CALL TO ORDER

OPEN FORUM

This is an opportunity for any citizen to briefly address the City Council on any matter that does not appear on this agenda. Upon being recognized by the Mayor, please state your name, address, and limit your oral statement to no more than three minutes. Matters that appear to warrant a more lengthy presentation or Council consideration may be agendized for further discussion at a later meeting.

REPORTS & PRESENTATIONS

1. City Council reports.
2. City Manager report.

CONSENT CALENDAR

The Consent Calendar consists of items that the City Council considers to be non-controversial. Unless any item is specifically removed by any member of the City Council, staff, or audience, the Consent Calendar will be adopted by one motion. Items removed will be considered in the sequence as they appear below. If any member of the audience wishes to have an item removed, please step to the microphone, state your name, and indicate the item.

3. Approve minutes of the July 12th, 2021, regular meeting.
4. Approve warrants of July 2021.
5. Fiscal Year Investment Report for the quarter ending June 20, 2021.
6. Approve Revocable License for private improvements in the City-street right-of-way along Windward Road for the property at 29 Windward Road.
7. Adopt a Resolution to amend the City of Belvedere Administrative Policy Manual to incorporate a Flexible Work Policy.
8. Adopt resolution to amend the City of Belvedere Administrative Policy Manual to incorporate the Policy Manual for the Belvedere Police Department.
9. Adopt a Resolution reciting the facts of the consolidated election held on March 3, 2020, declaring the result, and such other matters as provided by law.

10. Confirm appointment of Niran Amir as the Reed Union School District representative on the Belvedere-Tiburon Library Agency Board of Trustees.

OTHER SCHEDULED ITEMS

11. Appoint a voting delegate and alternate for the League of California Cities' Annual Conference.
12. Request for Contribution for the Belvedere Birthday Bash.
13. Consider a Resolution to Contribute Funds to Countywide Case Management Program for People Experiencing Homelessness.
14. Review of Street Sweeping Equipment and Service Alternatives.
15. Adopt a Resolution authorizing Design Approach for Belvedere Community Playground.

ADJOURN

NOTICE: WHERE TO VIEW AGENDA MATERIALS

Staff reports and other materials distributed to the City Council are available for public inspection at the following locations:

- Online at www.cityofbelvedere.org/archive.aspx
- Belvedere City Hall, 450 San Rafael Avenue, Belvedere. *(Materials distributed to the City Council after the Thursday before the meeting are available for public inspection at this location only.)*
- Belvedere-Tiburon Library, 1501 Tiburon Boulevard, Tiburon.

To request automatic mailing of agenda materials, please contact the City Clerk at (415) 435-3838.

NOTICE: AMERICANS WITH DISABILITIES ACT

The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats and special assistance needed to attend or participate in this meeting. Please make your request at the Office of the City Clerk or by calling 415/435-3838. Whenever possible, please make your request four working days in advance.

CONSENT CALENDAR

**BELVEDERE CITY COUNCIL
AUGUST 9, 2021**

To: Mayor and City Council

From: Beth Haener, City Clerk

Subject: **Approve minutes of the July 12, 2021 Regular City Council meeting**

Recommended Motion/Item Description

That the City Council approve the minutes as part of the Consent Calendar.

Attachments

Minutes.

**REGULAR MEETING
BELVEDERE CITY COUNCIL
JULY 12, 2021, 6:30 PM
REMOTE VIA ZOOM
MINUTES**

COUNCIL PRESENT: Steve Block, James Lynch, Nancy Kemnitzer, Sally Wilkinson, and James Campbell.

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Craig Middleton, Police Chief Jason Wu, Public Works Director Robert Zadnik, Senior Planner Rebecca Markwick, Administrative Services Manager Amber Johnson, Planning and Building Director Irene Borba, City Attorney Emily Longfellow, and City Clerk Beth Haener

These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available: <https://www.cityofbelvedere.org/agendacenter>.

CALL TO ORDER IN REMOTE OPEN SESSION

The meeting was called to order by Mayor Campbell at 6:31 PM via remote Zoom meeting. The COVID-19 disclaimer was read.

OPEN FORUM

Belvedere resident William Rothman commented on the process of the Zoom platform and discussed the roles of leadership in the City.

REPORTS & PRESENTATIONS

Item 1. Interviews for the Belvedere Tiburon Library Agency Board.

William Smith and Roxanne Richards were interviewed by the Council for the Belvedere Tiburon Library Board open seat. Mayor Campbell thanked both applicants, as well as applicant Maria Shuman who was unable to attend. Mayor Campbell indicated that a decision on appointment would be made at the end of the meeting.

Item 2. City Council Reports

Councilmember Nancy Kemnitzer reported that the Marin League of Women Voters and the Marin County Office of Education have a program, Student Election Ambassadors, which is open to Marin residents aged 14 to 25. Program participants serve as links between the elections department and their peers to encourage their classmates to become engaged in the elections process. If there is interest in this program, contact Councilmember Kemnitzer or Megan Stone at mstone@marincounty.org.

Item 3. City Manager Report

City Manager Craig Middleton reported that City Hall is welcoming people back into the building. Counter hours are from 8:00 a.m. to Noon and appointments for in-person meetings are available all day. City Manager Middleton asked people who are not vaccinated to please wear a mask when visiting City Hall.

City Manager Middleton announced that the California Public Employees' Retirement System (CalPERS) reported a preliminary investment return of 21.3% for the past year, which will impact both the discount rate, dropping it from 7% to 6.8%, and the City's annual pension payment for 2023.

City Manager Middleton announced that Andrew Cunningham, a student at the University of California, Berkeley, is working this summer as this year's City Management Intern.

Item 4. Police Department Quarterly report from Police Chief Jason Wu.

Police Chief Jason Wu gave a presentation on the Police Department's second quarterly report for 2021 and took questions from

the Council.

Mayor Campbell called for public comment.

Belvedere resident Linda Remy asked how many police responses are out of County, and Police Chief Wu stated that the Police Department has never responded out of County.

Mayor Campbell closed public comment.

Item 5. Fire Safety presentation from Deputy Fire Marshall Mike Lantier and Public Works Director Robert Zadnik.

Deputy Fire Marshall Mike Lantier gave a presentation on fire prevention efforts for 2021. Public Works Director Robert Zadnik gave a presentation on efforts to implement an evacuation software tool for Belvedere. There were no questions from the Council or the public.

Item 6. Greenhouse Gas (GHG) presentation from Christine O'Rourke.

Christine O'Rourke, Sustainability Coordinator for the Marin Climate and Energy Partnership, presented Belvedere's Green House Gas inventory of community-wide emissions for the year 2019 and took questions from the Council.

Mayor Campbell called for public comment.

Belvedere Resident William Rothman commented on the use electricity instead of natural gas, and how this could result in more rolling black outs. Mr. Rothman asked how someone would power electric appliances in such a circumstance. Christine O'Rourke stated that new options for generating backup power, such as from an electric vehicle, are being developed.

Mayor Campbell closed public comment.

CONSENT CALENDAR

Mayor Campbell removed Item 11 from the Consent Calendar for further discussion, and City Manager Middleton removed Item 13 for consideration at a later meeting,

MOTION: Move to adopt the Consent Calendar, with the exception of Item 11 and Item 13.

MOVED: By Kemnitzer, seconded by Wilkinson; approval was unanimous.

The Consent Calendar consisted of the following Items:

- 7. Approve minutes of the June 14, 2021, regular meeting.**
- 8. Approve warrants of June 2021.**
- 9. Adopt a Resolution extending the Marin County Abandoned Vehicle Service Authority Vehicle Registration Fee Until April 2032.**
- 10. Adopt a Resolution to amend the City of Belvedere Administrative Policy Manual to incorporate revisions to the Public Memorial Policy.**
- 12. Approve revocable license for proposed private improvements in the City street right-of-way along North Point Circle for the property at 5 North Point Circle.**

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- 11. Adopt a Resolution to amend the City of Belvedere Administrative Policy Manual to incorporate revised Personnel Policies.**

City Manager Craig Middleton presented the staff report and took questions from the Council. Councilmember Lynch stated that the policy should be clarified to ensure that the needs of the City and its residents are prioritized. He added that the policy should be reviewed periodically by the City Manager. With these revisions, he could support the policy. Councilmember Kemnitzer stated that she shares Councilmember Lynch's concerns. Councilmember Block stated that he agrees with

Councilmember Lynch's revisions, and he fully supports making this a policy. Councilmember Wilkinson asked how this policy would affect the City Manager, and City Manager Middleton stated that it would not affect his role.

Mayor Campbell called for public comment.

Belvedere Resident Linda Remy commented that she has worked remotely for the University of California since 1985 and stated that remote work is very productive. Ms. Remy indicated her support for a policy that allows employees to work remotely.

Mayor Campbell closed public comment and brought the discussion back to the Council. Mayor Campbell stated that residents would like to see City Hall running the way that it has in the past, but that there could be a hybrid that might work for the City. Councilmember Block stated that revisions to the policy should be made, then brought back to the Council. Councilmember Kemnitzer and Councilmember Wilkinson both agreed that clarity is needed before a decision is made. City Manager Middleton stated that he appreciated the conversation and that he would bring the item back in August.

INDIVIDUAL CONSENT CALENDAR

14. Approve revocable license for private improvements in the City street right-of-way along Bayview Avenue for the property at 129 Bayview Avenue.

MOTION: To approve revocable license for private improvements in the City street right-of-way along Bayview Avenue for the property at 129 Bayview Avenue.

MOVED: By Block, seconded by Lynch; approved.

VOTE:

AYES: Block, Lynch, and Vice Mayor Wilkinson
NOES: None
ABSENT: None
RECUSED: Kemnitzer, and Mayor Campbell

OTHER SCHEDULED ITEMS

15. Belvedere Playground Discussion.

Councilmember Nancy Kemnitzer stated for the record that her residence is within 500 feet of the subject property and that therefore she must recuse herself from this item

Public Works Director Robert Zadnik presented the staff report and took questions from the Council.

Mayor Campbell called for public comment.

Belvedere residents Claus Lund and Steen Lund each yielded time to Belvedere resident Carolyn Lund. Carolyn Lund gave a presentation on Pour-in-Place surface matting. She stated her opposition to using this material at the Belvedere Playground.

Belvedere resident Kathy Pearson yielded her time to Bryan Kemnitzer. Parks and Open Space Committee member Bryan Kemnitzer stated his support for the Pour-in-Place surface matting for the Belvedere Playground remodel.

Belvedere resident Jean Bordon stated that she opposes the use of the Pour-in-Place surface material and sand for the Belvedere Playground remodel, but that she supports the use of wood chips.

Michael Davis, Jill Davis, Jerome Bellach, and Katherin Bellach yielded their time to William Rothman for this item.

Belvedere Resident Linda Remy stated that she opposes the use of the Pour-in-Place material for the Belvedere Playground remodel and yielded the rest of her time to William Rothman.

Dr. William Rothman stated that he opposes the use of the Pour-in-Place material for the Belvedere Playground remodel and stated his concern about the material.

Mayor Campbell closed public comment and brought the discussion back to the Council. City Manager Middleton stated that this item is not an action item, but is on the agenda so that the Council can hear the concerns of the public on all sides of the issue. City Manager Middleton stated that the Council has already approved the playground design, and indicated that, if the Council would like to direct staff to make design changes, staff would return with the requested information and would agendize an action item for a subsequent meeting. City Council discussed the issue and asked staff return to the Council with more information on alternative designs that may include more wood chips. Included in the information should be comparative costs, design cost and timeframes, and a comparison of maintenance requirements and costs associated with different surface materials.

16. Make Appointments to the Belvedere Tiburon Library Agency Board and the Historic Preservation Committee.

MOTION: To reappoint all four incumbents to the Historic Preservation Committee.
MOVED: By Block, seconded by Lynch; approval was unanimous.

Council discussed the nominees for the Belvedere Tiburon Library Agency Board.

MOTION: To appoint Roxanne Richards to the Belvedere Tiburon Library Agency Board.
MOVED: By Wilkinson, seconded by Kemnitzer; approval was unanimous.

ADJOURN

The meeting was adjourned at 9:44 P.M.

THE FOREGOING MINUTES were approved at a regular meeting of the Belvedere City Council on August 9, 2021, by the following vote:

AYES: Steve Block, James Lynch, Nancy Kemnitzer, Vice Mayor Wilkinson, and Mayor Campbell
NOES: None
ABSENT: None
RECUSED: None

Approve: _____
James Campbell, Mayor

Attest: _____
Beth Haener, City Clerk

CONSENT CALENDAR

**BELVEDERE CITY COUNCIL
AUGUST 9, 2021**

To: Mayor and City Council
From: Amber Johnson, Administrative Services Manager
Subject: **Approve warrants of July 2021**

Recommended Motion/Item Description

That the City Council approve the July 2021 warrants as part of the Consent Calendar.

Attachments

Warrants.

CITY OF BELVEDERE
WARRANTS REPORT
JULY 2021
BANK ACCOUNT 1000
OPERATING CHECKING ACCOUNT

Check Number	Check Date	Vendor # (Name)	Net Amount	Check Description
26935	07/20/21	AMMI PUBLISHING COMP. INC	343.00	Automatic Generated Check
26936	07/20/21	ARMOR LOCKSMITH SERVICES	119.08	Automatic Generated Check
26937	07/20/21	BACR/JPCC	1,062.00	Automatic Generated Check
26938	07/20/21	BAY AREA BARRICADE SERV.	1,943.09	Automatic Generated Check
26939	07/20/21	BERTRAND, FOX, ELLIOT, OSMAN & WENZEL	3,968.37	Automatic Generated Check
26940	07/20/21	CINTAS CORPORATION #626	140.00	Automatic Generated Check
26941	07/20/21	CIRA	179,367.00	Automatic Generated Check
26942	07/20/21	CODE SOURCE	2,645.00	Automatic Generated Check
26943	07/20/21	COPWARE, INC.	400.00	Automatic Generated Check
26944	07/20/21	COUNTY OF MARIN-MARIN.ORG	1,393.94	Automatic Generated Check
26945	07/20/21	DAVIS SIGN COMPANY INC	52.44	Automatic Generated Check
26946	07/20/21	DIGITECH REPROGRAPHICS	974.33	Automatic Generated Check
26947	07/20/21	ENGINEERING SOLUTIONS SERVICES	1,155.00	Automatic Generated Check
26948	07/20/21	ESI	1,550.00	Automatic Generated Check
26949	07/20/21	FLYERS ENERGY, LLC	2,421.30	Automatic Generated Check
26950	07/20/21	GOLDFARB LIPMAN ATTORNEYS	782.00	Automatic Generated Check
26951	07/20/21	GOODMAN BUILDING SUPPLY	103.35	Automatic Generated Check
26952	07/20/21	HOLLAND & KNIGHT LLP	1,163.50	Automatic Generated Check
26953	07/20/21	HOME DEPOT CREDIT SERVICE	850.92	Automatic Generated Check
26954	07/20/21	MAC COUTO	250.00	Automatic Generated Check
26955	07/20/21	MAD DOG PRODUCTIONS	63.75	Automatic Generated Check
26956	07/20/21	MAGGIORA & GHILOTTI INC.	16,394.00	Automatic Generated Check
26957	07/20/21	MOE ENGINEERING, INC.	14,524.00	Automatic Generated Check
26958	07/20/21	O'ROURKE & ASSOCIATES	5,250.00	Automatic Generated Check
26959	07/20/21	REBECCA ROUDMAN	625.00	Automatic Generated Check
26960	07/20/21	SHRED-IT USA - CONCORD	426.13	Automatic Generated Check
26961	07/20/21	STETSON ENGINEERS, INC.	3,660.00	Automatic Generated Check
26962	07/20/21	TOM SABIDO	1,069.12	Automatic Generated Check
26963	07/20/21	U.S. BANK CORPORATE PAYME	9,466.75	Automatic Generated Check
26964	07/20/21	VERIZON	199.30	Automatic Generated Check
26965	07/20/21	WAGeworks INC.	106.00	Automatic Generated Check
26966	07/20/21	WELLS FARGO VENDOR FINANCIAL SERVICES LLC	148.30	Automatic Generated Check
26967	07/20/21	WOLFECOMMUNICATIONS, INC.	649.28	Automatic Generated Check
26968	07/20/21	ZEE MEDICAL COMPANY	59.22	Automatic Generated Check
26969	07/20/21	ZERO WASTE USA, INC.	595.59	Automatic Generated Check
A-851	07/01/21	CALPERS	32,094.03	Electronic Payment
A-852	07/01/21	DELTA DENTAL	2,823.72	Electronic Payment
A-853	07/01/21	EFTPS	13,728.67	Electronic Payment
A-854	07/01/21	CA EDD	4,402.98	Electronic Payment
A-855	07/01/21	CALPERS	18,251.17	Electronic Payment
A-856	07/02/21	GLOBAL PAYMENTS	977.86	Electronic Payment

CITY OF BELVEDERE
WARRANTS REPORT
JULY 2021
BANK ACCOUNT 1000
OPERATING CHECKING ACCOUNT

Check Number	Check Date	Vendor # (Name)	Net Amount	Check Description
A-857	07/02/21	LINCOLN LTD	561.30	Electronic Payment
A-858	07/02/21	AFLAC INSURANCE CO	102.58	Electronic Payment
A-859	07/02/21	RELIANT STANDARD LIFE/ADD	358.87	Electronic Payment
A-860	07/08/21	PACIFIC GAS & ELECTRIC	3,083.86	Electronic Payment
A-861	07/15/21	EFTPS	15,331.94	Electronic Payment
A-862	07/15/21	CA EDD	5,130.32	Electronic Payment
A-863	07/15/21	CALPERS	19,120.92	Electronic Payment
A-864	07/16/21	WESTAMERICA BANK	376.85	Electronic Payment
A-865	07/19/21	COMCAST	48.80	Electronic Payment
A-866	07/21/21	PITNEY BOWES	500.00	Electronic Payment
A-867	07/21/21	AT&T	194.72	Electronic Payment
A-868	07/22/21	TAKE CARE/WAGE WORKS	139.98	Electronic Payment
A-869	07/23/21	CA EDD	24.35	Electronic Payment
A-870	07/26/21	CALPERS	32,094.02	Electronic Payment
A-871	07/26/21	DELTA DENTAL	2,823.72	Electronic Payment
A-872	07/26/21	U.S. BANK COPIER	1,912.06	Electronic Payment
A-873	07/26/21	EFTPS	136.42	Electronic Payment
A-874	07/26/21	AFLAC INSURANCE CO	102.58	Electronic Payment
A-875	07/26/21	AT&T	64.20	Electronic Payment
A-876	07/26/21	LINCOLN LTD	676.05	Electronic Payment
A-877	07/26/21	RELIANT STANDARD LIFE/ADD	393.55	Electronic Payment
A-878	07/27/21	TAKE CARE/WAGE WORKS	190.76	Electronic Payment
A-879	07/28/21	PITNEY BOWES	171.34	Electronic Payment
A-880	07/28/21	CONNECT YOUR CARE	29.60	Electronic Payment
A-881	07/29/21	CALPERS	116,778.00	Electronic Payment
AP072021-01	07/20/21	ALHAMBRA & SIERRA SPRINGS	145.16	Electronic Payment
AP072021-02	07/20/21	ALISON FOULIS	600.00	Electronic Payment
AP072021-03	07/20/21	ARBORSCIENCE	300.00	Electronic Payment
AP072021-04	07/20/21	BELVEDERE-TIBURON LIBRARY	4,507.52	Electronic Payment
AP072021-05	07/20/21	DC ELECTRIC GROUP, INC.	306.46	Electronic Payment
AP072021-06	07/20/21	DC ELECTRIC GROUP, INC.	229.14	Electronic Payment
AP072021-07	07/20/21	DC ELECTRIC GROUP, INC.	9,550.00	Electronic Payment
AP072021-08	07/20/21	DC ELECTRIC GROUP, INC.	282.56	Electronic Payment
AP072021-09	07/20/21	DC ELECTRIC GROUP, INC.	1,412.80	Electronic Payment
AP072021-10	07/20/21	DC ELECTRIC GROUP, INC.	306.46	Electronic Payment
AP072021-11	07/20/21	DC ELECTRIC GROUP, INC.	141.28	Electronic Payment
AP072021-12	07/20/21	EDMUND H. SAN DIEGO	619.50	Electronic Payment
AP072021-13	07/20/21	EPSTEIN + HOLTZAPPLE	7,094.00	Electronic Payment
AP072021-14	07/20/21	EPSTEIN + HOLTZAPPLE	3,216.00	Electronic Payment
AP072021-15	07/20/21	ERICKSON SOUND PRODUCTION	5,575.00	Electronic Payment
AP072021-16	07/20/21	FORSTER & KROEGER LANDSCA	12,160.00	Electronic Payment

CITY OF BELVEDERE
WARRANTS REPORT
JULY 2021
BANK ACCOUNT 1000
OPERATING CHECKING ACCOUNT

Check Number	Check Date	Vendor # (Name)	Net Amount	Check Description
AP072021-17	07/20/21	GENARO MUNIZ	26.98	Electronic Payment
AP072021-18	07/20/21	JESUS ARGUELLES	590.60	Electronic Payment
AP072021-19	07/20/21	JESUS ARGUELLES	1,380.00	Electronic Payment
AP072021-20	07/20/21	MARIN IT, INC.	62.50	Electronic Payment
AP072021-21	07/20/21	MARIN IT, INC.	621.50	Electronic Payment
AP072021-22	07/20/21	MARY NEILAN	556.94	Electronic Payment
AP072021-23	07/20/21	MONSIDO INC	3,000.00	Electronic Payment
AP072021-24	07/20/21	PARS	600.00	Electronic Payment
AP072021-25	07/20/21	PORAC RETIREE MEDICAL TRU	2,250.00	Electronic Payment
AP072021-26	07/20/21	RAFAEL FLOORS	20,505.00	Electronic Payment
AP072021-27	07/20/21	RHAA	10,047.50	Electronic Payment
AP072021-28	07/20/21	RICHARD NOLEN CONSTRUCTIO	883.00	Electronic Payment
AP072021-29	07/20/21	SPTJ CONSULTING	1,875.00	Electronic Payment
AP072021-30	07/20/21	TIBURON FIRE PROTECTION	154,351.00	Electronic Payment
AP072021-31	07/20/21	TRANSPORTATION AUTHORITY	4,883.00	Electronic Payment
AP072021-32	07/20/21	TREEMASTERS	11,638.40	Electronic Payment
AP072021-33	07/20/21	WILLDAN FINANCIAL SERVICE	7,212.20	Electronic Payment
Total for Bank Account 1000 ----->			793,475.48	

CITY OF BELVEDERE
WARRANTS REPORT
JULY 2021
BANK ACCOUNT 1010
PAYROLL CHECKING ACCOUNT

Check Number	Check Date	Vendor # (Name)	Net Amount	Check Description
110	07/01/21	DIRECT DEPOSIT	65,875.46	Electronic Payment
111	07/15/21	DIRECT DEPOSIT	68,572.66	Electronic Payment
112	07/29/21	DIRECT DEPOSIT	64,801.60	Electronic Payment
P-076	07/01/21	MASS MUTUAL	276.92	Electronic Payment
P-077	07/15/21	MASS MUTUAL	276.92	Electronic Payment
P-078	07/29/21	MASS MUTUAL	276.92	Electronic Payment
PR070121-01	07/01/21	BPOA	92.30	Electronic Payment
PR070121-02	07/01/21	ICMA-RC	4,681.02	Electronic Payment
PR070121-03	07/01/21	GARNISHMENT	692.31	Electronic Payment
PR071521-01	07/15/21	BPOA	92.30	Electronic Payment
PR071521-02	07/15/21	ICMA-RC	5,003.65	Electronic Payment
PR071521-03	07/15/21	GARNISHMENT	692.31	Electronic Payment
PR072921-01	07/29/21	BPOA	92.30	Electronic Payment
PR072921-02	07/29/21	ICMA-RC	4,833.01	Electronic Payment
PR072921-03	07/29/21	GARNISHMENT	692.31	Electronic Payment
Total for Bank Account 1010 ----->			216,951.99	
Grand Total of all Bank Accounts ----->			1,010,427.47	

CONSENT CALENDAR

**BELVEDERE CITY COUNCIL
AUGUST 9, 2021**

To: Mayor and City Council
From: Amber Johnson, Administrative Services Manager
Subject: **Receive Investment Report as of June 30, 2021**

Recommended Motion/Item Description

That the City Council receive the City's Investment Report for the quarter-ending June 30, 2021 as part of the Consent Calendar.

Attachments

Investment Report.

CITY OF BELVEDERE
 REPORT ON INVESTMENTS
 FISCAL YEAR 2020/21

QUARTER-ENDED 6/30/21

<u>Investment</u>	<u>As-of</u>	<u>Ending Balance</u>	<u>Interest Earned</u>	<u>Interest Rate</u>	<u>Maturity</u>
Local Agency Investment Fund (LAIF)	09/30/20	\$ 4,164,472.15	\$ 11,908.95	0.84%	Liquid
Local Agency Investment Fund (LAIF)	12/31/20	\$ 6,926,381.10	\$ 6,786.60	0.63%	Liquid
Local Agency Investment Fund (LAIF)	03/31/21	\$ 6,433,167.70	\$ 7,356.57	0.44%	Liquid
Local Agency Investment Fund (LAIF)	06/30/21	\$ 7,925,524.27	\$ 5,713.74	0.33%	Liquid
			<u>\$ 31,765.86</u>		

To: Mayor and City Council

From: Irene Borba, Director of Planning & Building

Subject: **Approve revocable license for private improvements in the City street right-of-way along Windward Road for the property at 29 Windward Road**

Recommended Motion/Item Description

1. That the City Council approve a revocable license agreement for 29 Windward Road for existing improvements in the 29 Windward Road street right-of-way for existing landscaping & utilities, driveway, and sidewalk.

Background and Findings

Proposed encroachment on City property – 29 Windward Road – APN 060-182-11. The attached license agreement requires the property owner to assume liability and maintenance responsibilities for:

Existing landscaping & utilities, driveway, and sidewalk.

Background of current application

A Revocable License was never executed for the subject property; therefore, a revocable license is required to reflect the existing improvements located with the right-of-way.

On July 20, 2021, the Planning Commission approved Design Review for an addition/remodel for the existing residence. The project includes new interior doors and a new entry door, and the removal and replacement of existing windows. The roof at the existing sunroom at the rear of the property is going to be replaced with a permanent roof structure and sliding glass doors. The proposed roofing material will be tar and gravel to match the existing roof. The Commission had no issues with the request for the revocable license and recommended that the Council approve the license request.

Compliance with Administrative Policy Manual Section 272.05, Revocable Licenses

In accordance with Section 272.05 of the City’s Administrative Policy Manual, a revocable license for private use of excess street right-of-way may be granted at the discretion of the City Council when there is some benefit to the public, and provided that any proposed encroachment into the right-of-way complies with the design review requirements of Title 20 of the Belvedere Municipal Code. The existing improvements conform to the Administrative Policy Manual for revocable licenses.

The Belvedere Administrative Policy Manual provides that the City Council may grant a revocable license for the private use of excess right-of-way if there is some public benefit and based on a list of factors. (Administrative Policy No. 11.7.) Here, staff recommends that the Council approve a revocable license for the existing improvements pursuant to the administrative policy because there is a public benefit, and the factors are satisfied, as indicated in italics below.

- a. Where necessary to provide pedestrian or vehicular access from private property to the adjacent public street;

The existing driveway and sidewalk provide access to the residence.

- b. Where use of the public right-of-way will permit landscaping and/or related improvements to be installed that the City Council determines will enhance the aesthetic qualities of the streetscape. Any such landscaping and/or related improvements should not significantly impede public views or views from neighboring properties, or infringe on the privacy of neighboring properties;

The proposal includes existing landscaping. The landscaping helps to screen and soften the property frontage and should not significantly impede public views or infringe in privacy.

- c. Where use of the public right-of-way will permit the creation of an off-street parking area, and will thereby relieve parking or traffic congestion on the adjacent City street;

Not applicable.

- d. Where the public right-of-way will be used to construct retaining walls, drainage structures or other facilities that the City considers necessary to protect or maintain the public infrastructure;

Existing utilities are within the city right-of-way and necessary.

- e. Where appropriate to validate already existing private improvements in the public right-of-way for the purpose of shifting the City's potential liability for injuries and damages to the private property owners using the right of-way for private purposes;

The improvements are existing (existing landscaping, driveway, and sidewalk & utilities) and have been in place for some time. A revocable license was never executed for the subject property. A revocable license is required to reflect the existing improvements in the city right-of-way.

- f. Where necessary to protect or enhance public safety;

Not applicable.

- g. Where use of the public right-of-way will provide an area for street-level refuse and recycling containers on property that would otherwise not have an area for such improvements.

Not applicable.

Additionally, the Administrative Policy states that “Where fencing is proposed on City property, with the exception of where said fencing would be located on a very steep slope and would serve as a safety measure for vehicles and pedestrians, said fencing should normally be avoided as this effectively turns public property into private property and potentially creates the unwanted image of a “tunnel effect” along our city streets. Fences and other similar barriers, including landscaping, that enclose public property for private use should be avoided.”

There are no fences existing or proposed in the right-of-way.

Public Benefit

Here, the existing improvements enhance the aesthetic qualities of the streetscape. The landscaping will not significantly impede views or infringe on privacy. The encroachment is necessary to permit landscaping that will enhance the aesthetic qualities of the neighborhood, while also maintaining views from the public right-of-way & provide access to the residence. Additionally, the existing improvements help to provide access to the residence and a revocable license for the existing improvements will shift the liability to the property owner.

Future improvements

The license covers any future improvements within the revocable license area that receive staff or Planning Commission design review approval and that meet one or more of the criteria for approval of revocable license listed in the City’s Administrative Policy Manual, Policy 272.05, as adopted by City Council resolution. Applications for substantial, potentially permanent and/or obstructive structures within the City right-of-way, which fall outside the criteria, will still be required to go to the City Council for consideration and approval/denial. Detailed records at City Hall, maintained in the Planning Department file for this address, will always be available to show exactly what structures have been approved within the license area. This will save considerable staff time that would be devoted to bringing a revised license and staff report to the City Council and in issuing, recording, and archiving a new license agreement.

Recommended Action

That the City Council approve a revocable license agreement for existing improvements for 29 Windward Road as part of the Consent Calendar.

Attachments

- Draft license agreement with attached exhibit.

RECORDING REQUESTED BY:
City Clerk, City of Belvedere
RECORD WITHOUT FEE PER G.C. 27383

AND WHEN RECORDED MAIL TO:

City Clerk
City of Belvedere
450 San Rafael Avenue
Belvedere, CA 94920-2336

CITY OF BELVEDERE

REVOCABLE LICENSE NO. 2021.05

ASSESSOR'S PARCEL NO.: **060-021-21**
ADDRESS: **29 Windward Road, Belvedere, California 94920**
OWNER: **Michael & Renee Child, Trustees of Child Family Trust**
DATE ISSUED: **August 9, 2021**

The City of Belvedere, California, a municipal corporation (hereinafter referred to as "City"), hereby authorizes and licenses the owner of the land described above and in Exhibit "A" (hereinafter referred to as "Licensee"), at its own cost and expense, to encroach upon the adjoining land owned by the City of Belvedere (hereinafter referred to as "Premises") for the following purpose: existing landscaping & utilities, driveway and sidewalk.

The above-described improvements received City design review approval. This license shall cover any future improvements within the revocable license area which receive design review approval and which meet one or more of the criteria adopted by City Council resolution for the granting of revocable licenses. Any future revocable license application which does not meet the criteria must be approved by the City Council.

This revocable license is granted subject to the following terms and conditions:

1. Licensee shall save and hold harmless the City of Belvedere from any loss, damage, or injury of any kind or character whatsoever that may arise from anything done, or omitted to be done, by Licensee, its agents, employees or contractors in connection with or in any way related to the matters authorized by this License. Licensee agrees to hold City harmless and indemnify City (including, but not limited to, attorney fees, expert witness costs and court costs), without limitation, from and against any and all claims, injuries, damage, liability and/or cause of action which may ever arise as a result of injury and/or damage to property claimed to be the result of construction and/or failure to maintain said property or improvements by Licensee in, on, under, or above City property which is the subject of the revocable license granted Licensee by City.
2. To the extent this License authorizes the erection or installation of any building, fence, wall, or other structure or facility in or upon land owned by City, Licensee agrees to erect and install the same in accordance with plans and specifications approved by the Planning Commission of the City of Belvedere and further agrees to maintain the same at all times in good condition and repair, all at Licensee's sole cost and expense.
3. To the extent this License authorizes the erection or installation of any infrastructure improvements which are subject to the Americans With Disabilities Act ("the Act"), Licensee agrees to construct and maintain those improvements in full compliance with the requirements of the Act.
4. If Licensee shall fail to comply with the terms and conditions of this License, the City, at its option may immediately terminate and revoke this License by mailing or delivering written notice thereof

- to Licensee at the address hereinabove stated. Licensee shall not restrict access by the public and/or by adjacent property owners to the licensed area.
5. Licensee shall execute this License by: signing the License; making an acknowledgement of the License before a notary public or an officer specified by the State to take the acknowledgement of instruments of writing; and delivering the signed License and certificate of acknowledgement to the City. If Licensee shall fail to execute this License within thirty days of the date issued, the City may immediately terminate and revoke this License by mailing or delivering written notice thereof to Licensee at the address hereinabove stated.
 6. Anything herein to the contrary notwithstanding, this License shall be revocable at the pleasure of the City Council of the City of Belvedere. The election to revoke this License may be exercised at any time by mailing or delivering to Licensee at the address hereinabove stated a notice of revocation and termination. Within the time specified in said notice, Licensee shall, at its own cost and expense, remove from the Premises the encroachment and all structures and facilities placed thereon or therein by Licensee.
 7. That upon the failure of Licensee to comply with any of the agreements contained herein, City may declare said improvements to be a public nuisance and may take such action as may be authorized by law to abate said nuisance. The City shall be entitled to recover from Licensee costs of suit and reasonable attorney's fees, to be determined by the court. The remedy of City as contained in this paragraph shall not be exclusive.
 8. The Licensee acknowledges that the property interest created hereunder by issuance of this license may be subject to possessory interest taxation and said Licensee in whom such possessory interest is vested recognizes and agrees that it/they shall be solely responsible for payment of all such taxes levied upon said possessory interest.
 9. The Licensee shall deliver this license to any successor in interest to the above-described land.
 10. The agreements contained herein are covenants and servitudes running with the land and shall be binding upon Licensee and its successors, assignors, executors, administrators, and personal representatives.
 11. The Licensee shall obtain an encroachment permit from the City prior to the commencement of any work on City property.
 12. Any previous revocable licenses issued to this property are now null and void.

Issued by direction of the City Council of the City of Belvedere pursuant to action taken at its meeting of August 9, 2021.

Craig Middleton, City Manager

The foregoing License is accepted and its terms and conditions are agreed to:

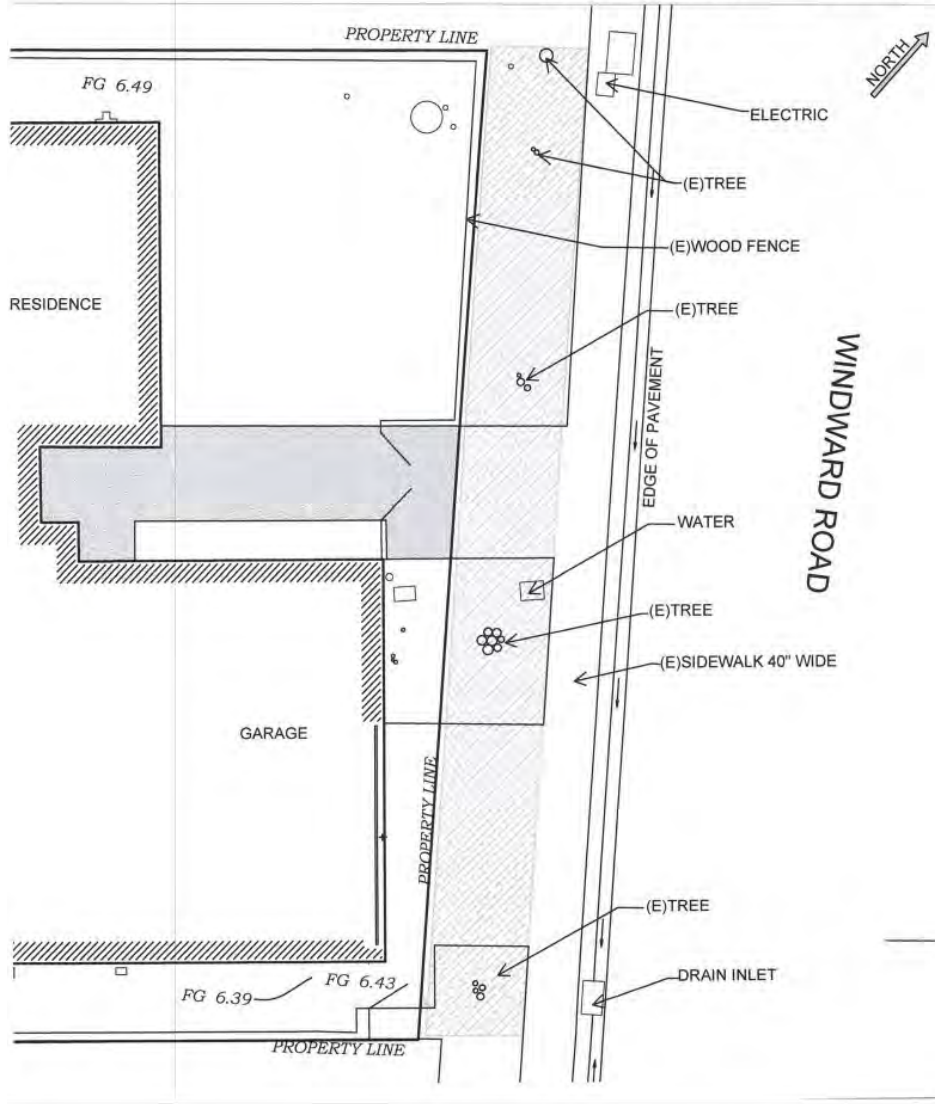
Michael & Renee Child, Trustees of Child Family Trust, Licensee

REVOCABLE LICENSE
3/15/2021
29 WINDWARD ROAD, BELVEDERE, CA
APN: 060-021-21

EXHIBIT 'A'

LICENSE AREA SHOWN SHADED

SCALE: 1/8"=1'-0"



To: Mayor and City Council

From: Amber Johnson, Administrative Services Manager

Reviewed by: Craig Middleton, City Manager

Subject: **Adopt resolution to amend the City of Belvedere Administrative Policy Manual to incorporate revised Personnel Policies.**

Recommended Action

Adopt resolution to amend the City of Belvedere Administrative Policy Manual to incorporate revised Personnel Policies.

Background

Belvedere’s Personnel Rules & Regulations are contained in Part 9 of the Administrative Policy Manual and were last updated in June of 2021. The Administrative Policy Manual is adopted and amended by resolution of the City Council.

An amendment is proposed to the Personnel Rules and regulations:

- Policy 9.14 – Work Hours & Attendance: Insertion of section 9.14.2 which formalizes and details a proposed Flexible Workplace Program (“FWP”). In March 2020, the Marin County Public Health Officer issued a legal order directing all residents to shelter in place in response to the COVID-19 pandemic. As a result, all City employees that were able to work remotely were required to do so. As the shelter-in-place restrictions have eased, City Management would like to continue to allow the option for some employees to work a hybrid schedule of on-site and remote work. This proposed policy language provides the City Manager with sole authority to review and approve any FWP requests.

Proposed new policy language is included as an attachment to this report.

This policy revision was first considered at the July 12, 2021 City Council meeting, at which staff was given direction on modifications to the proposed language. Staff has incorporated these modifications in the attached document, including a prioritization of the needs of the City and the level and quality of service provided to City residents, and a provision for periodic reviews by the City Manager of FWP arrangements.

Fiscal Impact

There is no fiscal impact associated with the adoption of the Revised Personnel Policies.

Attachments:

- A. Resolution to amend the Administrative Policy Manual
- B. Proposed new policy language

CITY OF BELVEDERE

RESOLUTION NO.2021-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
APPROVING THE FOLLOWING SECTION OF THE
BELVEDERE ADMINISTRATIVE POLICY MANUAL**

WHEREAS, Belvedere City Staff prepared updates to the City of Belvedere Administrative Policy Manual and presented the text of these updates in a Staff Report for the City Council; and

WHEREAS, the City Council reviewed these updates at its regular meeting on August 9, 2021; and

WHEREAS, the Administrative Policy Amendments are exempt from the provisions of the California Environmental Quality Act (“CEQA”) per CEQA Guidelines Section 15061(b)(3), as the Policy Amendments can be seen with certainty to have no possibility for causing a significant effect on the environment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvedere that

1. Administrative Policy Manual Section 9.14 is hereby modified to read as presented in Exhibit B.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on August 9, 2021, by the following vote:

AYES: —
NOES: —
ABSENT: —
ABSTAIN: —

APPROVED: _____
James Campbell, Mayor

ATTEST: _____
Beth Haener, City Clerk

POLICY 9.14 WORK HOURS & ATTENDANCE

THE FOLLOWING SUBSECTION IS ADDED

9.14.2 FLEXIBLE WORKPLACE PROGRAM

- A. *The Flexible Workplace Program (FWP) is intended to:*
- 1. Reduce time spent commuting thereby improving employee productivity and enhancing work/life balance.*
 - 2. Contribute to the alleviation of traffic on the Tiburon Peninsula and reduce carbon emissions.*
 - 3. Attract and retain employees who cannot afford to live in Marin County.*
 - 4. Allow for continuity of government services in the event of an emergency.*
- B. *The Flexible Workplace Program (“FWP”) is available to all active employees regardless of classification, with the proviso that not all positions lend themselves to offsite work. The City Manager has the sole discretion to determine which employees and positions are suitable for a partial work-from-home schedule. Among the criteria used by the City Manager to evaluate a flexible workplace application are:*
- 1. The operational needs of the City and the employee’s department*
 - 2. Customer service needs of the City*
 - 3. The ability of the employee to perform his or her specific job duties from a location separate from his or her City worksite without diminishing the quantity or quality of the work performed*
 - 4. The degree to which in-person interaction with other City employees and the public is important*
 - 5. Other considerations deemed necessary and appropriate by the employee’s immediate Supervisor, Department Head, and the Finance/Human Resources Department.*
- C. *The FWP provides for employees to enter into an agreement to schedule portions of their work week away from their regular worksite. Participating employees are expected to work a full workday at their offsite locations.*
- D. *The City Manager, or his/her designee, has discretion to approve or disapprove all Flexible Workplace Applications.*
- E. *Flexible Workplace Applications are made a part of the employee’s personnel file.*
- F. *Participants are bound by all City of Belvedere policies just as if they were working onsite, including but not limited to:*

Attachment B

1. *Policies governing appropriate conduct in the workplace and towards one's fellow employees.*
2. *Policies governing employee usage of City of Belvedere computers, internet connections, and mobile devices.*

Any employee who violates City of Belvedere policies while participating in the FWP shall be subject to revocation of his or her FWP approval and are subject to any disciplinary measures that would be taken if the employee were working onsite.

- G. *A Flexible Workplace schedule (affecting one or more days of the week) includes days and hours worked in Belvedere and at the remote location. It must be approved by the City Manager in advance and can be modified or revoked by the City Manager at any time and for any reason. Under special circumstances or in the event of an emergency, employees who are able to work a majority or all of their scheduled hours remotely may be required to do so.*
- H. *The duties, obligations, responsibilities, and conditions of a Flexible Workplace participant's employment with the City remain unchanged. The participating employee's salary, retirement, benefits, and City-sponsored insurance coverage shall remain unchanged, except for auto allowances. Any participant who is eligible to receive an auto allowance shall receive a modified allowance as determined by the City Manager.*
- I. *Expenses incurred as a result of participating in the FWP will not be reimbursed by the City of Belvedere unless they are normally reimbursable pursuant to City of Belvedere policies. Such non-reimbursable expenses include, but are not limited to, utility costs, home improvements, any construction, and any alterations to real or personal property.*
- J. *Participants are obligated to comply with all City, State, and Federal rules, policies, regulations, procedures, and practices. In the event that Federal and/or State regulations are mandated and conflict with this Regulation, the Federal and/or State regulations shall prevail.*
- K. *Eligibility.*
1. *Any employee may apply for the FWP, although positions requiring significant field work or direct in-person interaction with the public may not be compatible with the FWP. The City Manager may consider whether a portion of an employee's work duties is compatible with remote work and could be scheduled as part of an alternative work schedule.*
 2. *Employee participation in the FWP is at the discretion of the City Manager or his/her designee, and the City Manager's decision is final and may not be appealed.*
 3. *The City Manager may or may not disclose the specific criteria used to determine Approval or Denial of an Application.*
 4. *The City of Belvedere has no obligation to allow one employee to participate in the FWP merely because another employee who performs the same or similar job duties has been approved to participate in the FWP.*

Attachment B

- L. FWP participants are covered under the City's Workers' Compensation Insurance Program. Since the employee's off-site workspace shall be considered an extension of the City's workspace, the City's Workers' Compensation liability for job-related accidents or injuries shall continue to exist during the employee's FWP-scheduled work hours as defined by Workers' Compensation law.*
- 1. The employee remains liable for injuries to third-party persons and/or members of the employee's family on the employee's premises.*
 - 2. Any injury or illness that may be associated with work-related activities should be immediately reported by the employee to his or her supervisor so that the City's Workers' Compensation third-party administrator can determine compensability.*
 - 3. Actions that a participant may take during break periods from working and actions not directly related to the approved off-site work location will not be covered under Workers' Compensation. These non-covered actions include, but are not limited to, all actions that the employee would not be able to perform in his or her City of Belvedere office, such as caring for children or pets, domestic tasks, yard work, retrieving the mail, cooking, exercising, and interacting with non-City employees for non-business purposes.*
- M. The FWP shall be a cooperative effort between the employee and the department. It is a privilege and not a right or an entitlement.*
- N. The City Manager shall review the employee's FWP on a periodic basis.*
- O. The City reserves the right to change, amend, or discontinue an employee's participation in the FWP at any time for any reason, including at the employee's reasonable request. Termination of participation in the FWP is administrative and the decision may not be appealed.*

SECTIONS THAT FOLLOW ARE RENUMBERED

To: Mayor and City Council

From: Craig Middleton, City Manager
Reviewed by: Jason Wu, Police Chief

Subject: **Adopt resolution to amend the City of Belvedere Administrative Policy Manual to incorporate the Policy Manual for the Belvedere Police Department**

Recommended Action

Adopt resolution to amend the City of Belvedere Administrative Policy Manual to incorporate the Policy Manual for the Belvedere Police Department.

Background

The Belvedere Police Department operates in accordance with current law and a set of policies that exist within the Belvedere Police Policy Manual. The policy manual is updated periodically to ensure consistency with current law and best police practice. In order to ensure that its policies are always up to date, the City contracts with Lexipol, which stays current with laws related to policing and provides updates to the Police Chief.

Members of the City Council have urged that the Police Policy Manual be incorporated by reference into the City’s Administrative Policy Manual, and that changes to the Police Policy Manual be ratified by the Council on a periodic basis. This action would commonly occur at the Council meetings during which the Police Chief provides his quarterly report on police activities.

The Police Chief administers the Police Policy and would continue to play a key role, along with the City Manager, in any discussions of policy changes. It is proposed that, were members of the City Council interested in requesting a review of a particular policy, the Mayor could appoint an ad hoc committee to review the policy with the Police Chief and City Manager. The committee would then return to the Council with a recommendation for moving forward. The Council would determine whether changes to policy should be made. Lexipol-derived policy changes would go into effect at the discretion of the Police Chief, and would remain in effect unless the Council voted against their ratification.

Fiscal Impact

There is no fiscal impact associated with the incorporation of the Police Policy Manual into the Administrative Policy Manual.

Attachments:

- A. Resolution to amend the Administrative Policy Manual
- B. Proposed Policy Language, Administrative Policy Manual, Part 20

CITY OF BELVEDERE

RESOLUTION NO.2021-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
APPROVING THE FOLLOWING SECTION OF THE
BELVEDERE ADMINISTRATIVE POLICY MANUAL**

WHEREAS, Belvedere City Staff prepared updates to the City of Belvedere Administrative Policy Manual and presented the text of these updates in a Staff Report for the City Council; and

WHEREAS, the City Council reviewed these updates at its regular meeting on August 9, 2021; and

WHEREAS, the Administrative Policy Amendments are exempt from the provisions of the California Environmental Quality Act (“CEQA”) per CEQA Guidelines Section 15061(b)(3), as the Policy Amendments can be seen with certainty to have no possibility for causing a significant effect on the environment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvedere that

1. Administrative Policy Manual Part 20 is hereby modified to read as presented in Exhibit B.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on August 9, 2021, by the following vote:

AYES: —
NOES: —
ABSENT: —
ABSTAIN: —

APPROVED: _____
James Campbell, Mayor

ATTEST: _____
Beth Haener, City Clerk

Attachment B

PART 20. ADDITIONAL POLICIES

New Section to be added at the end of Part 20:

Policy 20.6 POLICE POLICY MANUAL

20.6.1. The Belvedere Police Department (BPD) Policy Manual is incorporated into the Administrative Policy Manual of the City of Belvedere by reference. Changes to the Belvedere Police Policy Manual recommended by the City's public safety risk management consultant (Lexipol) and approved by the Chief of Police shall be implemented on an interim basis and reported to the City Council concurrent with the next quarterly report by the Chief of Police to City Council. Such changes will, in the ordinary course of business, be ratified by Council at that meeting. In the event that Council expresses significant concern about any BPD policy or change thereto, the Mayor may establish an *ad hoc* committee to consult with the Chief of Police and report back to the full Council with its recommendation. The BPD will continue to implement any pending changes until such report is made and Council makes a final decision on the matter.

CONSENT CALENDAR

**BELVEDERE CITY COUNCIL
AUGUST 9, 2021**

To: Mayor and City Council

From: Beth Haener, City Clerk/Elections Official

Reviewed By: Emily Longfellow, City Attorney

Subject: Adopt resolution reciting the facts of the consolidated municipal election held on March 3, 2020, declaring the results, and such other matters as provided by law

Recommended Motion/Item Description

That the City Council adopt the resolution as presented.

Background

State law requires that the Council adopt a resolution reciting the facts of the election for the fire tax. This resolution is being brought to Council now and is restorative to April 13, 2020.

Findings

The official vote count in the Certificate of Canvass of Vote by the Marin County Registrar of Voters is:

Measure E – Yes	810
Measure E – No	215

The number of residents registered to vote in Belvedere was 1,500; 800 ballots were cast by mail and 225 ballots were cast at the poll for a total of 1,025 ballots and a 68.34% voter turnout for this measure.

Attachments

Resolution.

CITY OF BELVEDERE

RESOLUTION NO. 2021-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE,
RECITING THE FACTS OF THE CONSOLIDATED MUNICIPAL ELECTION HELD
ON MARCH 3, 2020, DECLARING THE RESULT, AND SUCH OTHER MATTERS AS
PROVIDED BY LAW**

WHEREAS, a Consolidated Municipal Election was held and conducted in the City of Belvedere, California, on Tuesday, March 3, 2020, as required by law; and

WHEREAS, that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of consolidated elections in general law cities; and

WHEREAS, pursuant to Resolution No. 2019-34, adopted November 12, 2019, the County Registrar of Voters canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as Exhibit "A."

WHEREAS, State law requires that the Council adopt a resolution reciting the facts of the election for the fire tax. This resolution is being brought to Council now and is restorative to April 13, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvedere as follows:

SECTION 1. This resolution is retroactive effective April 13, 2020.

SECTION 2. That the whole number of ballots cast in the City was 1,072.

SECTION 3. That the following measure was voted upon: Measure E, City of Belvedere, Fire and Emergency Medical Services Appropriations Limit Adjustment.

SECTION 4. The City Council does declare and determine that Measure E passed and is adopted.

SECTION 5. The City Clerk shall enter on the records of the City Council of the City a statement of the result of the election, showing: (a) The whole number of votes cast in the City; (b) The measures voted upon; (c) The number of votes given in the City's single precinct to each person and for and against each measure.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on August 9, 2021, by the following vote:

AYES: Steve Block, Nancy Kemnitzer, Jim Lynch, Sally Wilkinson, Mayor James Campbell

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED: _____
James Campbell, Mayor

ATTEST: _____
Beth Haener, City Clerk

Exhibit A

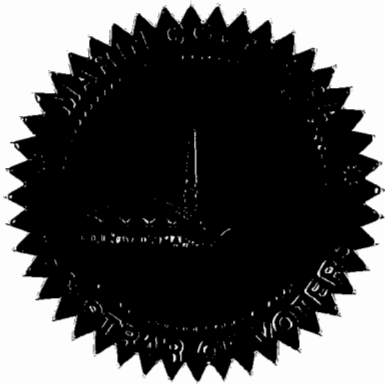
CERTIFICATE OF ELECTION

*I, LYNDA ROBERTS, the Registrar of Voters for the County of Marin,
of the State of California, do hereby certify the canvass and statement of the
votes cast in the Presidential Primary Election, held on March 3, 2020.*

*The results of said canvass are detailed in the Statement of Votes,
filed and retained with the Marin County Elections Department.*

The Official Final Results summary is provided herewith.

*IN WITNESS WHEREOF, I have set my hand and affixed my official seal
on this 2nd day of April, 2020.*



Lynda Roberts

County of Marin, Registrar of Voters

MARIN COUNTY ELECTIONS DEPARTMENT
PRESIDENTIAL PRIMARY ELECTION, MARCH 3, 2020
Official Final Results

Precincts Reported: 157 of 157 (100.00%)

Voters Cast: 115,923 of 166,200 (69.75%)

City Of Belvedere Measure E (Vote for 1)

Precincts Reported: 1 of 1 (100.00%)

	Polls	Vote by Mail	Total	
Times Cast	242	830	1,072 / 1,500	71.47%
Measure E	Polls	Vote by Mail	Total	
Yes	166	644	810	79.02%
No	59	156	215	20.98%
Total Votes	225	800	1,025	

Votes required to pass: Majority voter approval

To: Mayor and City Council

From: Beth Haener, City Clerk

Subject: Confirm appointment of Niran Amir as the Reed Union School District representative on the Belvedere-Tiburon Library Agency Board of Trustees.

Recommended Motion/Item Description

Confirm the appointment of Niran Amir as the Reed Union School District representative on the Belvedere-Tiburon Library Agency Board of Trustees.

Background

On June 8, 2021, the Reed Union School District (RUSD) Board unanimously approved the appointment of Ms. Niran Amir to represent RUSD on the Belvedere-Tiburon Library Agency Board of Trustees. Pursuant to Paragraph 4 (c) of the Belvedere-Tiburon Library Agency JPA Agreement, the City of Belvedere and Town of Tiburon shall approve the appointment of the RUSD representative.

Attachments

Appointment letter from Reed Union School District.



REED UNION SCHOOL DISTRICT

277 A Karen Way Tiburon, CA 94920 tel: 415.381.1112 fax: 415.384.0890
www.reedschools.org

Board of Trustees:

A. J. Brady
Jacqueline Jaffee
Sherry Wangenheim
Liz E. Webb
Afsaneh Zolfaghari

Dr. Nancy Lynch
Superintendent

Carlos Estrella
Chief Business Official

June 9, 2021

The City of Belvedere

To whom it may concern:

I am pleased to report to you that the Board of Trustees of the Reed Union School District unanimously approved the re-appointment of Ms. Niran Amir as the District's representative to the Belvedere Tiburon Library Agency at their regular meeting on June 8, 2021.

Ms. Amir expressed interest in continuing to represent the interests of the Reed Union School District, its children, and its families and the Board of Trustees is looking forward to working with Ms. Amir in this capacity.

Thank you for your efforts to move Niran's re-appointment through the process.

Sincerely,

A handwritten signature in blue ink that reads "Nancy Lynch".

Nancy Lynch, Ed.D.
Superintendent

OTHER SCHEDULED ITEMS

**BELVEDERE CITY COUNCIL
AUGUST 9, 2021**

To: Mayor and City Council

From: Beth Haener, City Clerk

Subject: **Appoint a voting delegate and alternate for the League of California Cities' Annual Conference**

Recommended Motion/Item Description

Appoint a voting delegate and alternate for the League of California Cities' Annual Conference.

Background

The League's 2021 Annual Conference is scheduled for September 22-24, in Sacramento. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly) on Friday, September 24. At this meeting, the League membership considers and takes action on resolutions that establish League policy. In order to vote at the Annual Business Meeting, Belvedere must appoint a voting delegate and alternate. The City Council is asked to appoint a voting delegate and alternate.

Attachments

- 2021 Annual Conference Voting Delegate/Alternate Form



CITY: Belvedere

**2021 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to Cal Cities office by Wednesday, September 15, 2021. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

To vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____

Email _____

Mayor or City Clerk _____
(circle one) (signature)

Date _____ Phone _____

Please complete and return by Wednesday, September 15, 2021 to:

Darla Yacub, Assistant to the Administrative Services Director

E-mail: dyacub@cacities.org

Phone: (916) 658-8254



Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

To: Mayor and City Council
From: Craig Middleton, City Manager
Subject: **Contribution to the Belvedere Birthday Bash**

Recommended Motion/Item Description

Consider the Belvedere Birthday Bash Committee’s request for a financial contribution.

Background and Discussion

The Belvedere Birthday Bash Committee (the “Committee”) was formed to plan activities in honor of the City of Belvedere’s 125th year. A celebration event is planned for Saturday, September 4th at Belvedere Community Park.

The City has received a request for funding in the amount of \$8,000 from the Committee to support the celebratory activities.

Fiscal Impact

This request can be accommodated in the current operating budget for Fiscal Year 2021-2022.

Recommendation

Consider the Belvedere Birthday Bash Committee’s request for a financial contribution.

Attachments

- Resolution Authorizing Contribution to Belvedere Birthday Bash

CITY OF BELVEDERE
RESOLUTION NO.2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
APPROVING CONTRIBUTION TO BELVEDERE BIRTHDAY BASH

WHEREAS, the City of Belvedere has historically made financial contributions to select holiday and celebratory events that benefit the entire community; and

WHEREAS, the Belvedere Birthday Bash Committee has requested a City donation to its celebration event for the year 2021 in the amount of \$8,000; and

WHEREAS, the City desires to contribute to the Belvedere Birthday Bash event for the year 2021; and

WHEREAS, said contribution is not a gift of public funds as it directly benefits the community of Belvedere and its residents; and

WHEREAS, on August 9, 2021 the City Council held a duly noticed public meeting and considered the funding request for the Belvedere Birthday Bash; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvedere that the amount of \$8,000 shall be contributed to the Belvedere Birthday Bash from the General Fund in Fiscal Year 2021-2022.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on August 9, 2021, by the following vote:

AYES: _

NOES: _

ABSENT: _

ABSTAIN: _

APPROVED: _____

James Campbell, Mayor

ATTEST: _____

Beth Haener, City Clerk

OTHER SCHEDULED ITEMS

**BELVEDERE CITY COUNCIL
AUGUST 9, 2021**

To: Mayor and City Council

From: Craig Middleton, City Manager

Subject: **Adopt resolution to allocate \$9,310 to a countywide fund for providing case management services to people experiencing homelessness and to authorize the City Manager to enter into an agreement with the County of Marin.**

Recommended Action

That the City Council authorize the City Manager to execute an agreement with the County of Marin to provide funding for Housing First Case Management in an amount not to exceed \$9,310 and to allocate such funds for this purpose.

Background

In January 2017, according to a report from the Bay Area Economic Institute and McKinsey Consulting, Marin County had the seventh highest per capita rate of homelessness in the country. By January 2019, however, overall homelessness in Marin had fallen by 7%, long-term chronic homelessness had declined by 28%, and unsheltered homelessness in San Rafael had dropped by 30%.

Over this same two-year period, approximately 80% of California counties saw increases in homelessness, including a 20% increase in San Mateo County, a 31% increase in Santa Clara County, and a 43% increase in both Alameda County and Contra Costa County.

These results were not an accident. Over the last five years, the City of San Rafael has been partnering closely with the County of Marin and local nonprofit partners to implement services and housing for people experiencing homelessness. In 2016, the City of San Rafael and its partners launched the Homeless Outreach Team (HOT), which, from March of 2016 through September of 2017, housed 23 of the most visible and vulnerable people experiencing chronic homelessness in downtown San Rafael. HOT has subsequently been named a statewide best practice by the League of California Cities.

This success helped inform the launch of Coordinated Entry (CE), which officially began on October 1, 2017. Since the implementation of CE countywide, over 330 of the most vulnerable people experiencing chronic homelessness have been housed (and over 90% remain housed).

Today, the most current data indicates there are fewer than 400 people still experiencing chronic homelessness in Marin County. Housing placements have resulted from strategically pairing

local housing subsidies (e.g. Section 8 housing vouchers) with intensive “Housing First” case management. Housing First is an evidence-based best practice for housing people experiencing chronic homelessness that prioritizes getting them back inside, and then working on the underlying issues that might have caused them to become homeless.

Discussion

The past year has brought many new challenges and concerns in the County about homelessness, and has prompted a fresh look at the way the County and its partners address this complex issue. While there has been tremendous success over the last five years, the rise of homeless encampments (e.g. Lee Gerner Park in Novato, the Central San Rafael viaduct and Boyd Park in San Rafael, Dunphy Park in Sausalito) has suggested that more needs to be done. It is important to note that, despite their outsized visibility and impacts, encampments remain relatively rare overall. Based on the best data available (the 2019 Homeless Point-in-Time Count), it appears that 15% of people experiencing homelessness in Marin County reside in tent encampments. In San Rafael, upwards of 90% of people residing in encampments are chronically homeless. Thus, continued progress around the core Housing First strategy for people experiencing chronic homelessness is expected to result in a reduction in encampment populations.

Due to the impacts of COVID-19, the federal government is making more resources available for people experiencing homelessness. The Biden Administration recently announced the rollout of 70,000 new housing vouchers for people experiencing homelessness, over 100 of which will come to Marin. Through regional meetings, there has been discussion of setting aside approximately \$2 million countywide toward additional case management services that would be tied to the new housing vouchers. This funding would support augmented case management for a period of 3-5 years. Using a population-based formula to arrive at contribution levels from cities, towns and the county, Belvedere’s share would be \$9,310.

Fiscal Impact

Staff is recommending that the City allocate \$9,310 for this program. This amount would be funded from Belvedere’s allocation of American Rescue Plan Act (ARPA) dollars. This funding would be leveraged through the use of newly-available Section 8 housing vouchers.

Environmental Impact

This activity is not defined as a project under CEQA (Section 15378 CEQA Guidelines).

Attachment

Draft Resolution allocating funds to a countywide effort to fund case management services for people experiencing homelessness and authorizing the City Manager to enter into an agreement with the County of Marin to provide such services.

CITY OF BELVEDERE
RESOLUTION NO.2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
APPROVING CONTRIBUTION TO COUNTYWIDE EFFORT TO AUGMENT CASE WORK
CAPACITY FOR PEOPLE EXPERIENCING HOMELESSNESS

WHEREAS, the Marin Housing First strategy for providing services to support and house people experiencing homelessness has proven to be successful; and

WHEREAS, the Federal government has made additional housing vouchers available to Marin County; and

WHEREAS, housing vouchers are most effectively used when paired with wraparound services and support; and

WHEREAS, the County, cities and towns in Marin have discussed the possibility of augmenting case worker support for people experiencing homelessness by jointly contributing a total of \$2 million, which is expected to fund additional case workers for three to five years; and

WHEREAS, Belvedere's contribution to this fund would be \$9,310 using a population-based formula;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belvedere authorizes the City Manager to execute an agreement with the County of Marin to provide funding for Housing First Case Management in an amount not to exceed \$9,310 and to allocate such funds for this purpose.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on August 9, 2021, by the following vote:

AYES: _

NOES: _

ABSENT: _

ABSTAIN: _

APPROVED: _____

James Campbell, Mayor

ATTEST: _____

Beth Haener, City Clerk

To: Mayor and City Council
From: Robert Zadnik, Director of Public Works
Reviewed by: Craig Middleton, City Manager
Subject: **Review of Street Sweeper and Service Alternatives**

Recommended Action

Consider the following report on street sweeper alternatives; provide staff with direction on preferred equipment type and financing structure or other method of service.

Background

Belvedere streets are an important public infrastructure asset. As such, the community relies on effective and thorough sweeping to preserve their drivability and cleanliness. Additionally, the street sweeper provides an equally important function for emergency cleanup, annual catch basin cleaning, and storm water management.

The City's current street sweeper, Tymco Model 435 (diesel regenerative air), was purchased new in 2005. Over the last few years, this equipment has been in the shop repeatedly for mechanical and electrical failure repairs. City Council approved a \$300,000 line item in the 2021-22 FY Budget to replace this aged equipment, with the proviso that Staff research alternatives to purchasing a gas/diesel street sweeper.

Street sweepers have traditionally operated with gas and diesel motors. With the improvements to battery technology and efficiency, all-electric models are starting to emerge in the heavy equipment offerings. The following information outlines what is currently available in the EV Sweeper market and summarizes other service provider options.

Findings

Electric Street Sweepers

Electric sweepers have been in European markets for the last decade. Similar to the civilian car market, most equipment manufacturers plan to offer EV within the next 5 years. Three companies are ahead of the curve: Johnston, RAVO, and Global.

Johnston and RAVO (pictured first) are based in the Netherlands and utilize similar sweeper platforms that are designed for smaller cities; however, there is a full-scale sweeper built for heavy work. Their batteries are between 100-200 kWh, similar to a large-capacity electric SUV. Specifications show that the equipment is capable of running between 7-11 hours on a charge,

depending on a number of environmental and use factors. Currently, there are no electric Johnston or RAVO sweepers on the west coast.



RAVO 5 eSeries



Johnston CityCat e5006

Global sweepers are manufactured in New York. Larger cities in New York and southern California have been using their traditional gas/diesel product for 20+ years. The M3 sweeper pictured below is a new offering, and is the only large, class-7, fully electric sweeper available in the world.



Global M3 Electric

Hybrid Street sweepers typically refer to a combination of internal combustion fuels such as natural gas and diesel. Currently there are no US offerings for a hybrid gas/electric model.

Access to trained maintenance personnel and parts is an important consideration. All three companies have distributors and maintenance technicians based in California. All three offer warranties and extended services plans.

Third Party Sweeping (service provider)

Staff contacted local providers including Mill Valley Refuse, Bay Cities Refuse, Marin Sanitary, and Recology. Mill Valley Refuse and Marin Sanitary expressed interest in providing sweeping for the city. Unfortunately, their equipment at this time will not navigate several of our narrow roadways, and they do not have plans to purchase equipment specifically for these roads.

Fiscal Impact

The cost of a typical gas or diesel street sweeper is approximately \$275,000 with fully loaded options. The electric sweepers outlined here are between \$400,000 and \$600,000. Some grants, mostly at the federal level, are available. Most vendors and manufacturers will assist agencies with the applications prior to purchase.

As EV technology advances, the industry will likely become more competitive. Lease options range from 3-7 years based on the finance structure. Most agencies opt to finance for 5 years with the option to buy the sweeper for \$100,000 at year 5. Based on this typical structure, a \$500,000 sweeper would cost city \$80,000 annually for 5 years or \$57,000 annually for seven years, with a buyout option at the end of year 5.

An estimate of third-party sweeping costs is difficult given Belvedere's small size and unique topography. An RFP would need to be initiated to get detailed cost and service options.

Recommendation

Consider the report on street sweeper alternatives; provide staff with direction on preferred equipment type and financing structure or other method of service.

To: Mayor and City Council

From: Robert Zadnik, Director of Public Works

Reviewed by: Craig Middleton, City Manager

Subject: **Consideration of Design Options for the Belvedere Playground**

Recommended Action

1. That Councilmember Nancy Kemnitzer state for the record that her residence is within 500 feet of the subject property and therefore she must recuse herself from this item.
2. Determine whether to move forward with the current design for the playground or to initiate a design revision. Suggested options for Council consideration:
 - Pursue the current approved design approach
 - Replace all Poured-in-Place rubber surface material with Engineered Wood Fiber
 - Incorporate Engineered Wood Fiber into the playground design; allow for limited use of Poured-in-Place rubber matting

Background

At its July 12, 2021 meeting, the City Council heard public comment related to the approved design for the new playground at Community Park. The design incorporates poured-in-place (PIP) rubber matting because of its superiority as an attractive and impact-absorbing playground surface material. PIP also allows for the use of different colors, which provides an opportunity to create a surface that augments the overall nautical theme of the new design.

Some members of the community have expressed concern over compounds present in the underlayment that are alleged to pose a cancer risk. Experts have disagreed over this allegation; and both the EPA and California Office of Environmental Health continue to deem poured-in-place rubber as safe. Other members of the community, many of whom use the playground with their children, have expressed support for the current design, which includes the poured-in-place (PIP) material.

Questions have been posed about the cost of PIP, as opposed to common alternatives, and its ability to withstand extensive use over time. Of primary interest is the cost of maintenance and/or replacement, which are costs that will accrue to the City. Initial construction costs will be

paid for with private dollars. The Council has directed staff to compare the costs associated with PIP with those associated with alternative surface materials.

Staff has researched comparative costs associated with PIP and engineered wood fiber (EWF), as well as costs required for a redesign of the playground were EWF to be selected. The Parks and Open Space Committee has researched alternatives to PIP and has ruled out options that were not ADA compliant for wheelchair access or that were not certified for fall attenuation. The most viable alternative material to PIP is therefore engineered wood fiber (EWF), which is also commonly used in playgrounds.

Fiscal Impacts

- **Initial Cost - Construction:** Engineered wood fiber would be less expensive to install than PIP. If the City were to eliminate PIP completely and replace it with EWF, it would save approximately \$67,000 in installation costs (see Exhibit “A”). Because there would be a need for some redesign of the playground, these savings would be offset by redesign costs of approximately \$9,000 for an estimated net savings of \$58,000. As mentioned above, construction costs are expected to be funded privately; these savings would not affect the City’s budget.
- **Near-term Cost - Maintenance:** PIP is less expensive to maintain during the first 5-7 years than is EWF. The monthly maintenance routine for PIP involves washing of the matting and inspection for cracks, wear, and defects. On an annual basis, the product installer returns for a full inspection of the matting and makes necessary repairs. A re-application of the topcoat binder material prolongs the product’s lifespan and is recommended every two years. Estimated annual maintenance costs are \$2,500. After 5-7 years, additional work, including spot patching, may be necessary in high-impact areas.

EWF requires frequent raking and refreshing of the bark material as it degrades. The annual cost for this work is approximately \$3,500.

- **Long-Term Costs – Patching and Replacement:** After 7 years, the cost to maintain PIP begins to increase. Typically, agencies would need to budget to replace PIP matting by Year 10. The cost to do this in the Belvedere Playground would be approximately \$27/square foot, or \$90,000 for the entire park.

Other Considerations

Rubber matting, because of its versatility and ability to incorporate color and patterns, is an important contributor to the design of the playground. The surface becomes another play element for children and families to enjoy. In the Belvedere Playground design, the material adds value by building on the overall nautical theme. PIP is also more adaptable to different shapes, such as the small hills that have been incorporated into the current design.

Engineered wood fiber, if used exclusively, would require that some of the elements of the current design be eliminated (landscape hills), particularly in the toddler area.

As a loose material, wood chips can be difficult to walk on and can pose a choking hazard for very young children. It may be possible to develop a design that would incorporate both PIP and EWF with each material used in specific areas (e.g. PIP could be reserved for the toddler area, which contains the landscape hills, and EWF could be installed in areas with higher intensity use).

To date, the fundraising team reports having raised approximately \$140,000 in pledges. The team has expressed some concern about the possible negative impact on fundraising if the design were to change dramatically.

Potential Courses of Action

- Pursue the current design approach
- Replace all PIP surface material with EWF: The Council would direct staff to redesign the playground so as to use engineered wood fiber exclusively and eliminate any use of poured-in-place rubber matting.
- Incorporate EWF into the playground design, allow for limited use of PIP: This option would allow some use of PIP while making far greater use of EWF. Cost advantages associated with EWF would be realized, and design/adaptability advantages of PIP would also be realized. The toddler area would likely be retained in PIP under this option.

Attachments:

- A. Draft Resolution
- B. Current Playground Design
- C. RHAA Cost Analysis of EWF
- D. Letter from Bryan Kemnitzer and the Playground Task Force
- E. July Staff Report (for reference).

CITY OF BELVEDERE

RESOLUTION NO.2021-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
AUTHORIZING DESIGN APPROACH FOR BELVEDERE COMMUNITY
PLAYGROUND**

WHEREAS, the Playground in Community Park is an important public amenity that is used by many families throughout the City; and

WHEREAS, a group of civic-minded residents seeks to upgrade the Playground and intends to fund such upgrades with private upgrades that would leverage a limited commitment of City funds; and

WHEREAS, the Parks and Open Space Committee has worked with landscape architect RHAA to develop a design for the Playground upgrade; and

WHEREAS, the City Council, on October 2020, approved a design concept for the Playground; and

WHEREAS, the City Council wishes to ensure that Staff, the Parks and Open Space Committee and RHAA have given consideration to near-term and longer-term cost implications of various surface treatments in the playground, particularly to poured-in-place rubber matting and engineered wood fiber, as well as to the longevity of surface materials that may be subjected to extensive use; and

WHEREAS, these and other concerns, including alleged impacts on public health, have been raised by members of the public; and

WHEREAS, the City Council, on July 12, 2021, heard a variety of points of view on the current design at a duly-noticed public hearing, and directed Staff to analyze the cost and maintenance implications of proposed and alternative surface materials; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvedere that Staff is directed to

- Proceed with the Playground project and approved design, or
- Redesign the Playground project to incorporate engineered wood fiber and reduce the amount of poured-in-place rubber matting, or
- Redesign the Playground project to eliminate poured-in-place rubber matting and replace it with engineered wood fiber

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on August 9, 2021, by the following vote:

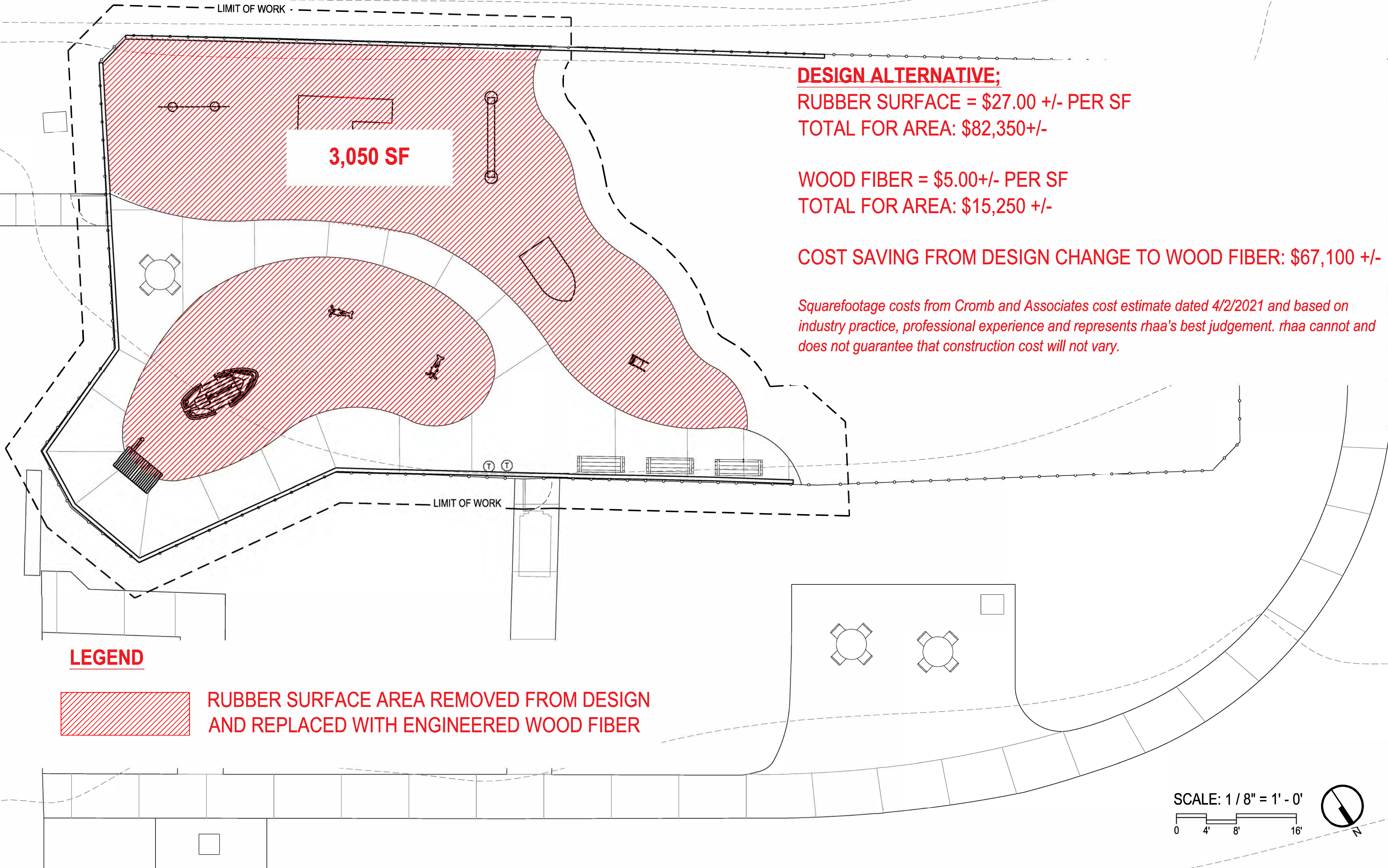
AYES: —
NOES: —
ABSENT: —
ABSTAIN: —

APPROVED: _____
James Campbell, Mayor

ATTEST: _____
Beth Haener, City Clerk

BELVEDERE PLAYGROUND DESIGN ALTERNATIVE PLAN

7/14/2021
FOR DISCUSSION



DESIGN ALTERNATIVE;
RUBBER SURFACE = \$27.00 +/- PER SF
TOTAL FOR AREA: \$82,350+/-

WOOD FIBER = \$5.00+/- PER SF
TOTAL FOR AREA: \$15,250 +/-

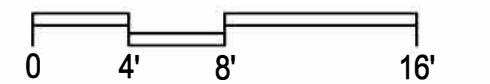
COST SAVING FROM DESIGN CHANGE TO WOOD FIBER: \$67,100 +/-

Squarefootage costs from Cromb and Associates cost estimate dated 4/2/2021 and based on industry practice, professional experience and represents rhaa's best judgement. rhaa cannot and does not guarantee that construction cost will not vary.

LEGEND

 RUBBER SURFACE AREA REMOVED FROM DESIGN AND REPLACED WITH ENGINEERED WOOD FIBER

SCALE: 1 / 8" = 1' - 0'



BRYAN KEMNITZER

1 OAK AVENUE
Belvedere, CA 94920

City Council meeting August 9, 2021 re playground surfacing.

At the City Council meeting on July 12, 2021, the Council inquired into the issue of the playground renovation and particularly the playground surfacing.

The decision for the current design and surface material was based upon extensive research by the Parks and Open Space Committee and the Playground Task Force:

1. Surface Material:

There are two choices with regard to playground surfacing.

- a. Engineered wood fiber.
- b. Poured-in-place rubber matting.

(Sand is not an option because it is too dangerous – see research papers re Mario Valente’s e-mail of Feb. 5, 2021.)

2. Durability and Cost:

The issues raised by city council at the last meeting involve essentially two issues.

- a. The durability of each material.
- b. The overall cost including redesign, installation, and annual maintenance cost.

3. “Tot” Area:

I believe there actually are a number of issues that need to be addressed including the following:

- a. What is the best surface material for the younger children because the renovation is mainly in the “tot” area.
- b. One must take into consideration the incredible financial support and community support from families, particularly families with children and their support for the playground as designed, with poured-in-place rubber matting.

(see Ark, July 22, 2021, center page re community pledges and donations.)

4. Community Support for Rubber Matting:

As I believe the council is aware, we have been able to raise a substantial amount of money based upon the current design with poured-in-place rubber matting. If for any reason the council decides that some or all of the renovated area should be engineered wood fiber as opposed to the current design by RHAA with poured-in-place rubber, I would hope that there would not be too many people who would withdraw their pledge or ask for a refund of their money already paid to the city.

5. History of the project:

There have been a number of staff reports regarding the playground, as follows:

- a. Report to Belvedere Planning Commission: Staff report dated 1/14/2020 to adopt the resolution granting Design Review approval to construct improvements to community playground. This was adopted by the Planning Commission at its meeting on January 21, 2020 (Exhibit A).

- b. The Parks and Open Space Committee recommended the design to city council at its September 2020 meeting (vote 6 to 1 in favor).
- c. October 12, 2020 recommending that city council adopt the resolution authorizing staff to proceed with full design and public bidding of the project. This in fact was adopted by city council at its October 12, 2020 meeting (Exhibit B).
- d. A special meeting was held by Parks and Open Space committee on February 23, 2020 to review the issue of the playground surfacing. The Parks and Open Space committee reaffirmed its earlier decision regarding poured in place surface material and recommend staff proceed with the next steps for the proposed design. At the February 23, 2021 meeting, there was incredible support expressed by the community particularly from parents with children who play in the playground (Exhibit C). The vote was six to one in favor of the current design (Exhibit D).
- e. RHAA the landscape architectural and planning firm has in fact prepared all of the construction drawings with the poured-in-place rubber surfacing and the project is ready for bidding upon the city council approval.
- f. On July 12, 2021 Craig Middleton and Robert Zadnik submitted a document regarding the playground and suggested that the city council provide direction to staff regarding the propose to sign in material selection (Exhibit E).

6. RHAA Report:

In the items on the agenda on July 12, 2021 attached was a report from RHAA dated December 18, 2020 regarding the poured in place rubber surfacing. It is important to note that cryogenic crumb rubber, which refers to untreated ground up passenger tires, is specifically not specified for the project. Recycled styrene-butadiene rubber is specifically not specified in the project.

What is specified for the project is ground up consumer rubber products that meet quality standards. Kendra Manning at RHAA has informed us that the post-consumer rubber products that meet quality standards include products such as swim caps, rubber soles from sport shoes, rubber toys that children play with and products such as pacifiers. These post-consumer products would be the underlayment. The surface layer is a layer of virgin rubber coated in a urethane binder.

- 7. Despite asking those opposed to the poured-in-place rubber matting for substantive research papers in support of the “theory” that rubber matting is carcinogenic, the opposition has failed to provide any substantive research papers.

8. Support for the Design:

As set forth above, there is substantial support for the poured-in-place rubber matting. With this memo I am attaching the correspondence from numerous members of the community presented at the Parks and Open Space Committee’s special hearing on February 23, 2021, including 79 parents who signed the letter in support of the design representing over 80 children (Exhibit F).

In addition, as mentioned above, there has been substantial support in the community for the design with poured-in-place rubber matting and over 225 people have made pledges and donations exceeding \$150,000.

This amount does not include a generous offer from the Belvedere Community Foundation.

9. At the request of City Council and the current head of Parks and Open Space, Jean Borden requested that the Playground Task Force reevaluate the RHAA design. All members of the Playground Task Force overwhelmingly support the playground as designed for the reasons set forth above.
10. The construction drawings are already prepared for the poured-in-place matting. In addition, as I believe will be presented by the city, the annual cost of engineered wood fiber is substantially more than the maintenance cost of poured-in-place rubber matting. The Playground Task Force has agreed to raise the money for the maintenance of the rubber matting.
11. **Engineered Wood Fiber:**
I would suggest that the council examine the pros and cons of engineered wood fiber versus the poured in place rubber matting. There are in fact a number of problems with engineered wood fiber. This was extensively considered by the Parks and Open Space Committee at the time it made the recommendation to City Council in September 2020 and February 23, 2021. The problems with the engineered wood fiber include the following:
 - Potential choking hazard
 - Can hide insects, pests and animal feces
 - Microbial growth can occur when material is wet
 - Expensive to refresh and maintain
 - Mold can grow on untreated wood
 - Wood chips are historically treated with Copper Chromated Arsenic (CCA), a wood preservative and insecticide that can contain up to 30% arsenic. Caution must be used in sourcing clean material.
12. As I mentioned at the city council meeting on July 12, 2021, the Parks and Open Space Committee came to the conclusion that rubber matting was the best alternative; that this was a balanced review and was not done impulsively. Again, as mentioned above, the vote for the playground as designed was passed six to one. With regard to the Playground Task Force, it was unanimous.

I trust that the above information will assist you in resolving this matter so we can proceed as quickly as possible with the playground renovation.

Bryan Kemnitzer

EXHIBIT A



**CITY OF BELVEDERE PLANNING COMMISSION
STAFF REPORT**

REPORT DATE: 1/14/2020

AGENDA ITEM: 3

MEETING DATE: 1/21/2020

TO: City of Belvedere Planning Commission

FROM: Robert Zadnik, Public Works Director

REVIEWED BY: Irene Borba, Director of Planning and Building
Emily Longfellow, City Attorney

SUBJECT: Design Review of Community Park Playground

RECOMMENDATION

The proposed project is a volunteer initiated project to update a portion of the Community Park Playground. The scope of work includes demolition of the existing sandbox and surrounding concrete. These items will be replaced with smaller sand box, nature play area, synthetic turf and rubber matting with climbing hills, scooter track, seating, and shade sails. In addition to this, the existing boat will be relocated and the existing playhouse will be refurbished. Design Review approval is required for this project, and staff finds all Design Review findings are satisfied and recommends approval of the project. The applications are included as **Attachment 2** and project plans are included as **Attachment 3**.

All Design Review findings are satisfied and staff recommends approval of the project. Staff recommends that the Planning Commission conduct the required public hearing and take the following actions:

MOTION 1: Adopt the Resolution granting Design Review approval to construct improvements to **Community Park Playground** (Attachment 1)

PROPERTY SUMMARY

Project Address: Belvedere Community Park, 060-071-01
Project Owner/Applicant: City of Belvedere
Zoning: Recreation

BACKGROUND

The Community Playground was constructed in 2003 and updated in 2009, mostly through volunteer efforts and donations. The playground receives heavy use as one of the few nearby public locations for young children and families to enjoy the outdoors in a controlled area, while interacting with the community.

Last year, City Council, with the support of the Parks and Open Space Committee (“POSC”), set aside funding within the current fiscal-year Capital Improvement budget to replace the

deteriorated rubber surface matting. Through the POSC, a resident taskforce was formed to review the entire condition of the park and lead a more robust update project.

RHAA, an architectural firm from Mill Valley, was retained to work with the taskforce to develop conceptual drawings for the public and fundraising efforts. These drawings have been revised over the last six months to reflect the priorities of the community, resident taskforce, and POSC.

During its regular meeting in November, the POSC approved the attached concept plan and requested it be sent to the Planning Commission for review and comments. (**Attachment 3**)

The project within public right-of-way requires the review and approval of a Design Review application pursuant to Title 20 of the Belvedere Municipal Code. As explained below, staff suggests that all Design Review findings can be made.

PROJECT DESCRIPTION

- The project includes installation of a smaller sand box, nature play area, synthetic turf and rubber matting with climbing hills, scooter track, seating, and shade sails. In addition to this, the existing boat will be relocated and the existing playhouse will be refurbished.
- Per the direction of the project Architect and Building Department, the site will be updated to conform to current ADA building code.
- This project will not require removal of any trees.
- Please note this is primarily a community funded project and the project design may require minor alterations, which will require approval by the Planning Commission Chair and the Parks and Open Space Chair, prior to the issuance of a building permit.

DESIGN REVIEW

The Design Review findings in Title 20 generally require that structures and improvements may not be excessively large, or draw attention to themselves. These findings also provide that improvements should be designed to relate to and fit in with others in the neighborhood, and avoid monotony and the use of large expanses of any one material. Here, all aspects of the Community Park Update project satisfy Design Review findings.

First, the stairway and handrails satisfy Design Review. The stairway and handrails are designed to be neutral in color, fit in with the neighborhood and surrounding landscape, and avoid the use of any one material on a large expanse.

ENVIRONMENTAL DETERMINATION

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. Staff suggests that the proposed is categorically exempt from CEQA pursuant to CEQA Guideline section 15303, as the construction of small new improvements and facilities; and section 15061(b)(3), as it can be seen with certainty that the project will not have a significant effect on the environment.

CEQA provides certain exceptions where categorical exemptions may not be used. Under one such exception, a CEQA categorical exemption may not be used if the project has the potential to

cause a substantial adverse effect on a CEQA Tribal Cultural Resource. Here a categorical exemption is appropriate because there is no potential that the project would cause a substantial adverse effect on any potential Tribal Cultural Resources that may, or may not, exist on the site.

Here the property is categorized as a “Medium Sensitivity site for Tribal Cultural Resources” in the Belvedere 2030 General Plan Historical Resources Map and the proposed project will create little ground disturbance

CORRESPONDENCE

City staff published the notice for this public hearing in The Ark newspaper and sent a copy of the public notice to all property owners and residents within 300 feet of the project site. As of the date of this report, no correspondence has been received in reference to this project.

CONCLUSION

For the reasons stated above, staff recommends that the Planning Commission approve the improvement project for The Community Park Playground Update Project as set forth in the attached draft Design Review Resolution. (**Attachment 1**)

RECOMMENDATIONS

MOTION: To adopt the Resolution granting Design Review approval to construct improvements to **Community Park Playground. (Attachment 1)**

ATTACHMENTS

Attachment 1:	Draft Design Review Resolution
Attachment 2:	Project Applications
Attachment 3:	Project Plan
Attachment 4:	Supplemental Site Photographs

EXHIBIT B

To: Mayor and City Council

From: Robert Zadnik, Public Works Director

Reviewed by: Craig Middleton, City Manager

Subject: Consider the recommendation from the Parks and Open Space Committee (POSC) regarding the Community Park Playground redesign concept and a resolution authorizing staff to proceed with full design and public bidding of the project.

Recommended Action

- 1) Consider the playground design plan as approved by the POSC and Belvedere Planning Commission, and
- 2) Adopt a resolution authorizing staff to proceed with full design and public bidding of the project.

Background

In 2019, The Parks and Open Space Committee (POSC) initiated a resident-led taskforce to remodel a portion of the Community Park Playground. To aid in this effort, the city set aside funds in the 2019-2020 and current cycle Capital Budgets to help develop architectural concept plans as well as replace a portion of the rubberized surface matting.

RHAA, an architectural firm from Mill Valley, was retained to work with the taskforce to develop conceptual drawings for the public and fundraising efforts. The task force presented regular updates to the Parks and Open Space Committee throughout 2019 and received community feedback on preferred design elements.

On January 21, 2020, the final design, which reflected the priorities of the community, resident taskforce, and POSC was presented to the Belvedere Planning Commission. This design was approved unanimously by the Commission with minor comments by the POSC. The January staff report and resolution has been attached for reference (Attachment 3).

In March of this year, the County of Marin ordered the shut down all outdoor recreation facilities. This action forced the taskforce to consider whether or not the approved design was still appropriate given the heightened health and safety concerns that are likely to resonate with the community into the long foreseeable future. Two design elements were reconsidered: the sand box and the existing playhouse. Both of these play features were retained in the original proposal; however, they are nearly impossible to clean and represent an immediate health risk to

the community. Recognizing this, the taskforce has proposed a new revised plan that swaps these two features for an ocean- and wave-themed design which draws on Belvedere's maritime history.

The redesign plan (Attachment 2) was presented and approved by a 6 to 1 vote of the POSC in a public meeting Thursday, October 8th at 4:00 P.M.

The redesign plan has been reviewed by the Planning Commission Chair and Planning Director. It was their finding that the revised plan is a further development of the original schematic plan that was approved by the Planning Commission, and the proposed modifications are consistent with the design intent of what the Commission reviewed and approved. For these reasons, the further development plan and modifications are exempt from additional design review.

Proposal

The resolution presented for your consideration would authorize staff to proceed with ordering the Plans, Specifications, and Engineering (PSE) to publically bid the project. Given the scope and cost, it is likely that staff will need to return to City Council at a later date to authorize the start of construction (per the city's procurement policy.)

Fiscal Impact

RHAA has provided preliminary estimates for this project. The large majority of the project funds will be gathered by the resident task force through community fundraising efforts. At this early stage, the current budget is set at \$307,000, which includes a healthy contingency. Staff is working with the task force to value engineer the project prior to community fundraising.

Recommendation

- 1) Consider the playground design plan as approved by the POSC and Belvedere Planning Commission, and
- 2) Adopt a resolution authorizing staff to proceed with full design and public bidding of the project.

Attachments:

1. Resolution approving the attached concept plan and authorizing staff to proceed with fully designing and publically bidding the project.
2. Playground design concept plan.
3. January 2020 Planning Commission Staff Report and Resolution.
4. Existing Playground photos.

**CITY OF BELVEDERE
RESOLUTION NO. 2020-00**

**A RESOLUTION OF
THE CITY COUNCIL OF THE CITY OF BELVEDERE
AUTHORIZING STAFF TO PROCEED WITH FULL DESIGN AND PUBLIC BIDDING
OF THE COMMUNITY PARK PLAYGROUND RENOVATION PROJECT**

WHEREAS, in order to maintain Belvedere's Community Park Playground, the City Council, with the backing of the Parks and Open Space Committee (the "Committee"), has set aside funding within the current fiscal-year Capital Improvement budget to replace the deteriorated rubber surface matting; and

WHEREAS, the Committee assigned a resident led taskforce to evaluate the condition of the entire playground and propose a more robust project; and

WHEREAS, the City has retained an architect to develop conceptual plans, which includes the installation of a new rubber matting with climbing hills, scooter track, seating, and shade sails. (the "Project"); and

WHEREAS, the Committee held a series of public meetings to review the Project and on November 14, 2019, forwarded its recommendation that the Planning Commission approve the Project; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the Project on January 21, 2020 approving the proposed design; and

WHEREAS, the taskforce, with approval of the Committee, revised the plan in light of public health; and

WHEREAS, the design changes are a further development of the original plan that was approved by the Planning Commission; and

WHEREAS, the plan and modifications are Exempt from design review;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belvedere does hereby authorize Staff to proceed with development of the full design and public bidding of the Project.

PASSED AND ADOPTED at a regular meeting of the Belvedere Planning Commission held on October 12th, 2020 by the following vote:

AYES:

NOES:

APPROVED: _____
Nancy Kemnitzer, Mayor

ATTEST: _____
Beth Haener, City Clerk

EXHIBIT C

To the Parks & Open Space Committee:

Thank you for your efforts to renovate and update our beloved playground at Belvedere Community Park. As parents of children who use the park on a regular basis, we are thrilled that so much care has been put in to ensure that the update will provide a safe environment for our community's children.

Specifically, we understand your committee has extensively examined the aspects of the playground that need upgrading and refurbishing and has arrived at a final design. That design, including all materials to be used, has been approved by your Committee, the Planning Commission, and City Council.

Installing the rubber matting proposed in the design in Belvedere would be following the well-researched guidance of San Francisco, which recently remodeled many of its playgrounds – installing the same rubber matting material that is proposed to be used in our playground. There is no reason to deviate. The rubber matting has been deemed completely safe and is in use in countless parks around the country.

We look forward to the renovation project moving forward will be eager to have our children continue to use the playground, including the rubber matting surface, for many years to come.

We request that this letter be read into the record at the Parks and Open Space Committee public forum, held on February 23, 2021.

Thank you.

- ✓ 1. Kristin Kernitzer and Adam McNeile (Margot (4) and Nolan (3))
2. Katie Barnett and Andy Goldberger (Children 2 and 0)
- ✓ 3. Billy and Kathleen Brady (Robbie (13))
4. Blye and Aaron Faust (Children 9 and 5))
5. Katya and Greg Spencer (Children 3 and 1)
- ✓ 6. Afsaneh Zolfaghari and Andrew Ashcroft (Children 11, 9 and 6)
- ✗ 7. Keith LeClaire (and 12 year old son)
8. Jay and Hollie Haynes (4 Children)
9. Carli and Scott Hamilton (3 Children)
10. Audrey and Paras Fancy (2 Children)
11. Bahram and Maysa Seyedin-Noor (2 Children)
- ✗ 12. Marci and Mario Valente (Alegra (11), Gisele (9) and Cosette (5))
13. Amanda Hyslop and Bill Driegert (Sienna (12) and William (9))
14. Clara and Grant Prigge (Children 11 and 9)
15. Andy and Nikki Perlman (Children 2 and 1)
16. Ian and Keri McCarthy Ferry (Aiden (8) and Alexandra (4))
- ✗ 17. Tracy and Peleg Perelmuter (Talia (7), Micah (4) and Shai (3))
18. Heidi Robinson and Tyler Rosengren (Annika (4) and Aksel (2))
19. Rosalie and Aaron Tolson (Parker (3) and Warner (0))
20. Kristin and Henry Homes (Mason (3) and Harlan (1))
21. Katherine and Jeff Ma (Children 3 and 1)
- ✗ 22. Christine Cole and Michael Richman (Children 8 and 5)
23. Jack Ryan and Sara Klein (2 Children)

*Fofosma
Zolfaghari*

Sadam Dorzi

Rosalie

- 24. Kim and Matt Barron (Thomas (3) and Kennedy (1))
- 25. Danielle and Bismark Lepe (Thatcher (5) Rothschild (4) S. Grey (1))
- 26. Rachel and Ross Martin (Children 3 and 1)
- 27. Michelle and Reece Kresser (Benjamin (3) and William(1))
- 28. Susan and Sam Warburg (Children 5 and 2)
- 29. Ruby King (Sterling (5) and Estelle (2))
- 30. Lana and Seth Burstein (Children 8, 6, 4)
- 31. Tai and Jamie Carpi (Children 6, 5, 3)
- 32. Scott Lustig and Lauren Druyan

33 Julianna + Tomas Schaefer 3 girls

64 parents 71 children

34 Karen Druyan + Scott Lustig 1

35 Chris Cornell + husband 2

36 Abbie + Rick Rodwell 3

37 John + Julie Stewart

72

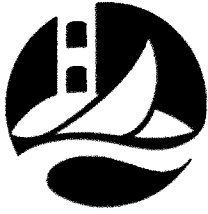
77

38 Audrey Johnson + Marshall
Barbie + 2

74

79

EXHIBIT D



CITY OF BELVEDERE

Memorandum

TO: Belvedere Parks and Open Space Committee

FROM: Robert Zadnik, Public Works Director

SUBJECT: Summary of Findings for the Community Park Playground Surface Matting

DATE: February 18th, 2021

Recommended Motion/Item Description

- a. Reaffirm its earlier decision regarding PIP surface matting and recommend staff proceed with next steps for the proposed design.

OR

- b. Provide additional direction and request Staff return to the Committee at a future date with alternative proposals.

Background

In October of 2020, the Parks and Open Space Committee (POSC) approved a revised playground concept plan which included a remodel of the tots play area for the Community Park Playground. This plan was developed in cooperation with the Belvedere community, POSC, the Playground Task Force, City staff, and the project architect, RHAA.

Following this meeting, it was made known to the City that certain chemicals with potential health risks were present in the rubberized poured-in-place material (PIP). RHAA, staff and the city researched this topic and provided a verbal report in January of 2021, during the regularly agenzized Committee meeting. It was determined at that time that these reported health risks could be managed by the proper installation of the PIP material through a trained and certified professional contractor. In addition to this, the architect would specify a cleaner alternative rubber product, as opposed to recycled (used) crumb rubber material.

Given the importance of this decision, it was determined necessary that a special meeting should be held to discuss the topic in more detail and offer another opportunity to hear the community's comments. The following information is a brief summary of findings concerning PIP and other alternatives that were considered.

Findings

Poured-In-Place rubber surfacing consists of two components: the **surface layer** and the **base layer**. The surface layer is made up of virgin (non-recycled) rubber, coated in a urethane binder glue. The base layer is designed to absorb impacts and consists of pre-consumer scrap rubber (items rejected due to wrong color, surplus, production defects, etc.). Other options for the base layer are available, for example, cryogenic crumb rubber (recycled vehicle tires), and recycled styrene, butadiene rubber (SBR); however, these products are becoming less common for the industry and will not be specified for this particular project.

Concerns have been raised by a member of the community that general wear and tear can break the surface layer and expose children to the recycled rubber base layer and chemicals, particularly Styrene and Butadiene. It is important to point out that Styrene and Butadiene are present in the pre-consumer postindustrial reclaimed rubber that would be used as a base layer for this project, although to a lesser degree than other SBR and recycled tire options. At the time of this report, there are no Non-Recycled rubber base layer materials available on the market that are tested and certified to meet the ASTM and ADA accessibility and impact attenuation standards. Studies by the EPA, Consumer Product Safety Commission, and Office of Environmental Health have researched the exposure risks of PIP in playgrounds and deemed it safe, given the significantly low parts-per-million concentrations found in playground matting wipe-tests throughout the Nation. Additional detail has been provided in the attached RHAA letter.

Note: the referenced reports and studies (page 3 of the attached RHAA letter) are too large for this agenda packet. The files will be available at City Hall for public review.

Alternatives

Playground matting must conform with ASTM and ADA code for fall safety and wheelchair access. Currently, there is only one alternative surface material that meets both these requirements. Sand does not meet accessibility standards.

- Engineered Wood Fiber (EWF)

Pros:

- Easy to install
- Provides good impact absorption
- Less expensive than PIP
- Stays in place better than loose fill materials

Cons:

- Potential choking hazard
- Can hide insects, pests and animal feces
- Microbial growth can occur when material is wet
- Expensive to refresh and maintain
- Mold can grow on untreated wood
- Wood chips are typically treated with Copper Chromated Arsenic (CCA), a wood preservative and insecticide that can contain up to 30% arsenic

Summary

There are advantages and disadvantages to every product. Staff suggests that the proposed material does not present a health hazard. Based on the research conducted by the city, architect and playground task force, PIP surface matting has undergone intense review by a number of consumer and governmental agencies and has been deemed safe. It remains the preferred alternative for new playgrounds and has been used successfully in the industry for over 30 years.

Recommended Action

No specific action is necessary at this time; however, the Committee may:

- a. Reaffirm its earlier decision regarding PIP surface matting and recommend staff proceed with next steps for the proposed design.

or

- b. Provide additional direction and request Staff return to the Committee at a future date with alternative proposals.

Attachments

- Committee approved playground design by RHAA.
- Response from Architect regarding PIP surface matting.
- Committee member Valente's summary on sand health hazards.
- Prop 65 list of hazardous chemicals.

BELVEDERE

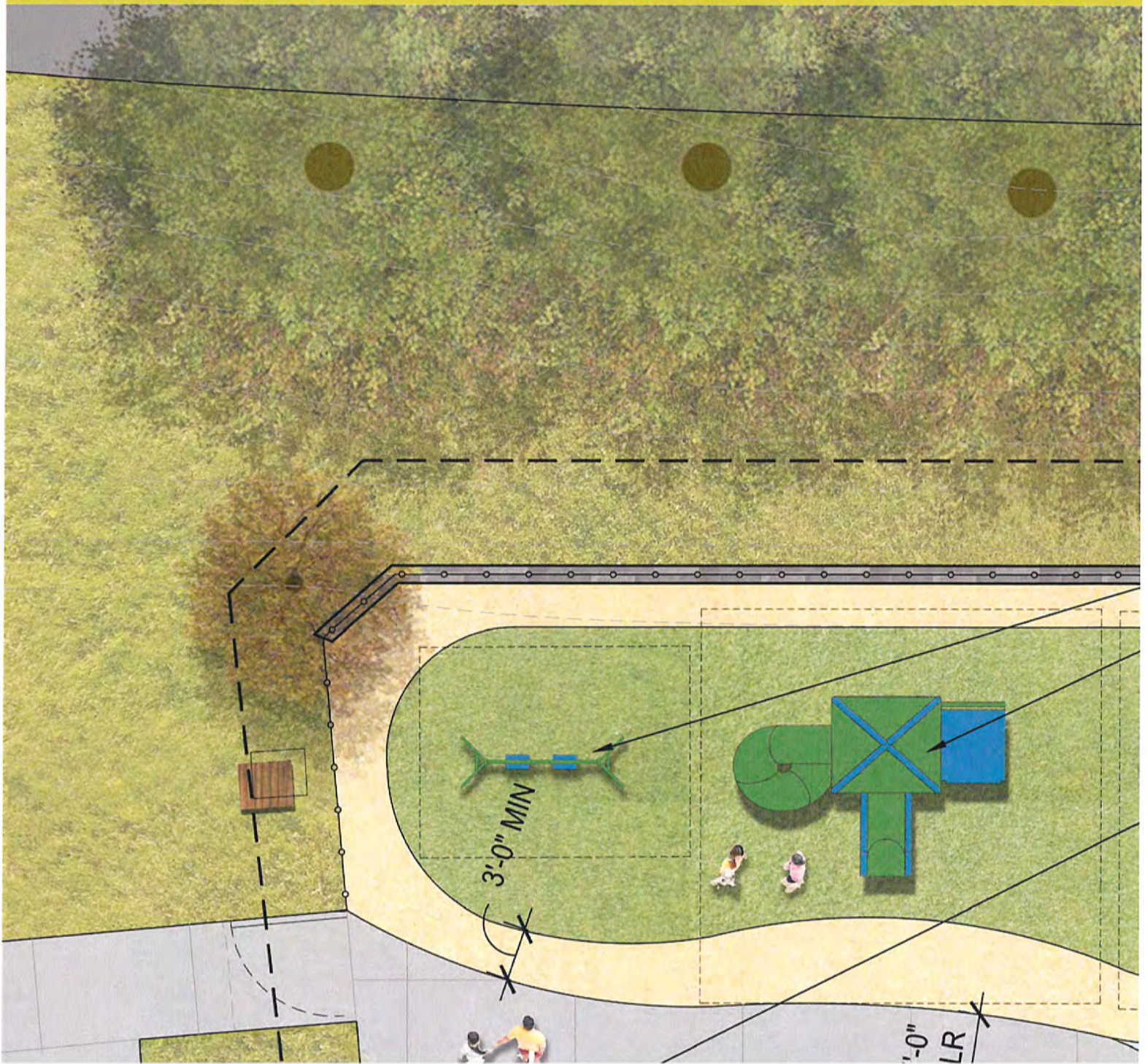


EXHIBIT E

To: Mayor and City Council

From: Craig Middleton, City Manager
Robert Zadnik, Director of Public Works

Subject: **Consider public comment and informational report regarding the Belvedere Playground Remodel Project.**

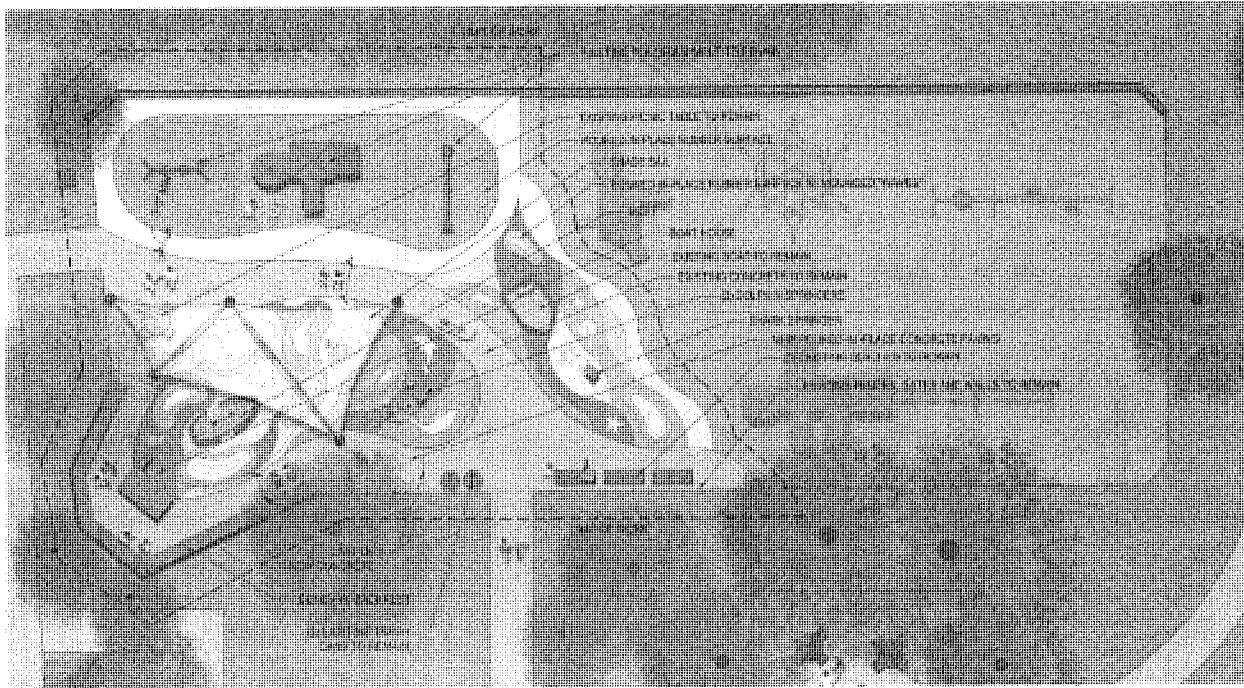
Recommended Action

1. That Councilmember Nancy Kemnitzer state for the record that her residence is within 500 feet of the subject property and therefore she must recuse herself from this item.
2. There is no specific recommended action at this time. Councilmembers are encouraged to read the following report and, if necessary, provide direction to Staff regarding the proposed design and material selection.

Background

The Belvedere Community Park Playground is an important recreational asset for the community. As such, it is one of the primary concerns of the Parks and Open Space Committee (POSC).

In 2018, the POSC recognized the need to remodel the playground. Play structures, fencing, and surface matting had begun to show excessive wear. For the last 18 months, the committee has been working with Belvedere residents, city staff, and a project architect to develop the preferred design depicted here and on page four of attachment "A."



The Planning Commission and City Council have reviewed and approved the design.

A private fundraising effort has been undertaken to raise money for the playground upgrade. To date, organizers indicate that \$140,000 has been pledged by private donors.

In December of 2020, Dr. Bill Rothman contacted the City to express concerns about potential health hazards related to use of the rubber surface material.

In February 2021, the POSC held a special meeting to address these concerns, which are related to the use of Pour-in-Place (PIP) surface matting (the attached report **Item "A"** was provided to the POSC as reference). The following is a summary of the special meeting:

- Staff provided a summary report on PIP research and findings.
- The committee Chair provided a signed list of more than 70 residents who supported the project and were in favor of the design concept, including the use of the surface matting.
- Dr. Rothman spoke to the committee on several toxicity issues related to the PIP matting. He asserted that, when the matting breaks down, the underlying materials might be eaten or ingested by children creating health risks.
- Committee members Bordon, Watson, Walker and Valente summarized their thoughts and expressed their reasoning for continued support of the proposed design.
- Committee member Lund advocated for the use of sand as a suitable alternative. The project architect pointed out that sand is not an approved ADA surface. Additional health concerns over parasites and animal fecal contamination caused the committee to rule it out as a viable alternative.

At the conclusion of the meeting, after hearing public comment on the issues, the Committee decided to 1) uphold its original decision to use PIP as the best practicable alternative, 2)

investigate and consider all-natural alternatives to PIP as they become available in US markets, and 3) commit to a rigorous maintenance routine for the life of the product.

In addition to the petition mentioned above, the City has received letters and emails relating to the issue of the PIP matting material. The City has also received letters from experts regarding the alleged health risks. These are attached to this staff report for your information.

Note: This agenda item does not allow for a specific decision by the Council. It is agendaized as a discussion item. The Council may ask questions and may direct staff to research options for consideration at a future Council meeting.

Fiscal Impact

The project has been fully designed by RHAA and is ready for public bidding once funds have been raised. Changes to the design would require additional work by the project architect; the cost of the redesign work would be dependent on the extent of the changes.

Attachments:

- A. February 23rd Memo to the POSC concerning PIP and attachments.
- B. Depiction showing PIP matting in the current design.

EXHIBIT F



December 18th, 2020

Robert Zadnik
Public Works Director | Emergency Preparedness Manager
City of Belvedere
450 San Rafael Ave.
Belvedere, CA 94920
Office (415) 435-4111
Fax (415) 435-0430

Main Office
225 Miller Avenue,
Mill Valley, CA 94941

San Francisco Office
323 Geary Street, #602
San Francisco, CA 94102

rhaa.com
415.383.7900

Project Address: Community Rd, Belvedere Tiburon, CA 94920
Scope: Renovation of Children's play area

RE: Poured-in-place rubber surfacing.

Rhaa understands that the industry standard for a poured-in-place rubber play surface consists of:

1. Base layer: An impact attenuation layer of cryogenic crumb rubber * or recycled styrene butadiene rubber (SBR)** or pre-consumer postindustrial reclaimed scrap rubber *** coated in a urethane binder.
2. Surface layer: A layer of virgin rubber (EPDM or TBP) coated in a urethane binder

* cryogenic crumb rubber refers to untreated ground up passenger tires which will not be specified in this project.

** Recycled Styrene, Butadiene, Rubber (SBR) will not be specified in this project.

***Most common in industry and will be specified in this project. Made of grounded, defective consumer rubber products that meet quality standards.

Concerns have been raised by members of the community that general wear and tear can break the surface layer and expose children to the recycled rubber base layer and chemicals, particularly Styrene and Butadiene. Styrene and Butadiene are present in the pre-consumer postindustrial reclaimed rubber that would be used as a base layer for this project. There are no Non-Recycled rubber base layer materials available on the market that are tested and certified to meet the ASTM and ADA accessibility and impact attenuation standards.

If an instance occurs in which the recycled rubber content is exposed, meaning the surface layer and urethane binder is broken or worn down, a child in theory could be exposed to the recycled rubber content. In this case the Environmental Protection Agency, United States Consumer Product Safety Commission and the California Office of Environmental Health Hazard Assessment state the following:

- while chemicals are present as expected in the tire crumb rubber, human exposure appears to be limited based on what is released into air or simulated biological fluids – EPA [1]



- these surfaces would not cause skin sensitization in children, nor would they be expected to elicit skin reaction in children already sensitized to latex – California Office of Environmental Health Hazard Assessment - California Office of Environmental Health Hazard Assessment [5]
- There are 7 chemicals that could be considered carcinogens [in recycled rubber] but the concentration levels are below the level of one part per million that is generally considered an acceptable risk – California Office of Environmental Health Hazard Assessment [5]
- Zinc and four chemicals were measured [In wipe samples of in-use playground surfacing containing recycled tire rubber] that were at least three times background levels. Assuming playground use from one through 12 years of age the increased cancer risk was calculated to be 2.9 in one million which is generally considered to be an acceptable risk. – California Office of Environmental Health Hazard Assessment [5]
- no specific chemical hazards from recycled tires in playground surfacing are known by the CPSC at this time – CPSC [8]

Our understanding is that (based on their statements) federal and state health organizations have deemed poured-in-place rubber surfacing as safe for use in playground installation, provided the surfacing material is installed by a manufacturer that can prove compliance with all testing standards and any other applicable codes and it is maintained per the manufacturer's specifications.

Rhaa acknowledges that at the time that the referenced statements produced, the EPA, COEHHA, CPSC along with other agencies are conducting ongoing testing and research into the safety of rubber surfacing materials. Please refer to the references on the following pages. It is the responsibility of the City of Belvedere to make the final determination on material use.

We will wait for the City's direction on this matter. Please let us know how to proceed.

Sincerely,

Manuela King – President, RHAA Landscape Architects

1



References:

1. <https://www.epa.gov/chemical-research/federal-research-recycled-tire-crumb-used-playing-fields> , Environmental Protection Agency Federal research summary statement.
2. *Synthetic Turf Field Recycled Tire Crumb Rubber Research Under the Federal Research Action Plan Part 1&2*” by Environmental Protection Agency (EPA), 2019
3. *“Association Releases Updated Information Regarding Use of Recycled Rubber on Playgrounds”*, by International Play Equipment Manufacturers Association march 2012
4. *“Summary of Playground Surfacing Focus Groups”* by Consumer Product Safety Commission (CPSC) United States of America, January 2018
5. *“Evaluation of Health Effects of Recycled Waste Tires in Playground and Track Products”* by the Office of Environmental Health Hazard Assessment and published by the California Integrated Waste Management Board., January 2007
6. *“Are Poured in Place Playground Surfaces Safe?”* by David Spease, ASLA, CPSI.
7. *SECTION 32 18 16.13 PLAYGROUND TPV PROTECTIVE SURFACING TOTTURF* by Robertson recreation.
8. <https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Crumb-Rubber-Safety-Information-Center> , United States Consumer Product Safety Commission

OTHER SCHEDULED ITEMS

**BELVEDERE CITY COUNCIL
JULY 12, 2021**

To: Mayor and City Council

From: Craig Middleton, City Manager
Robert Zadnik, Director of Public Works

Subject: **Consider public comment and informational report regarding the Belvedere Playground Remodel Project.**

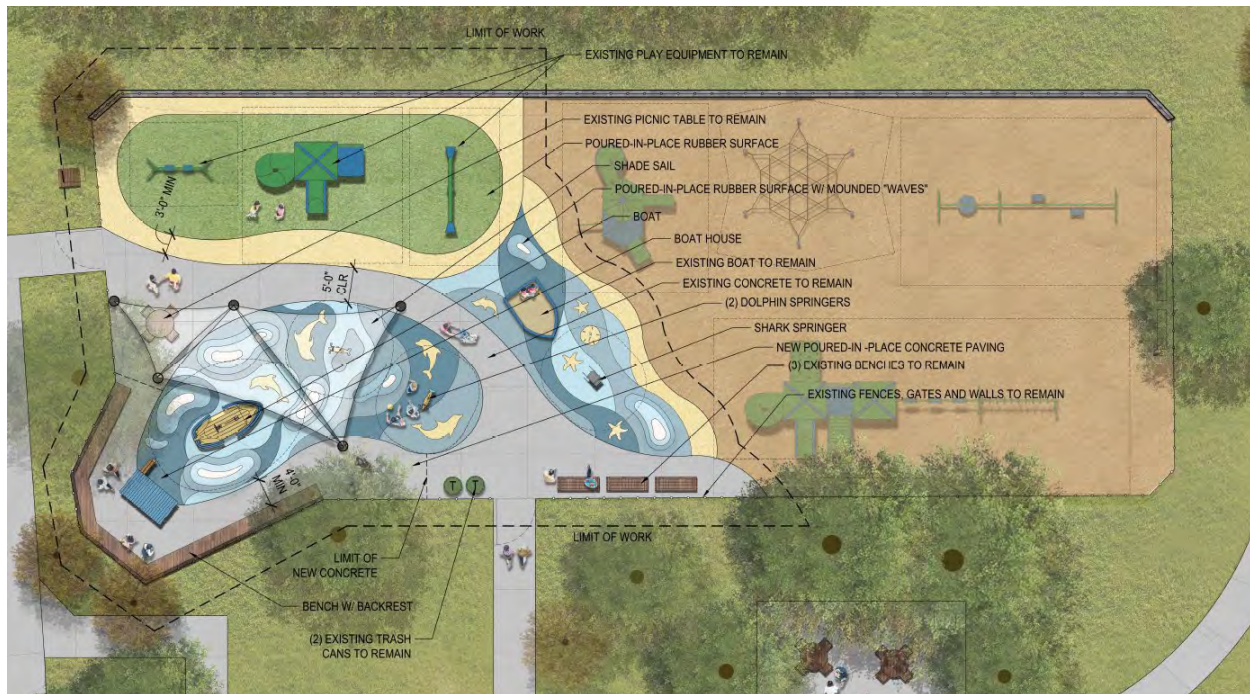
Recommended Action

1. That Councilmember Nancy Kemnitzer state for the record that her residence is within 500 feet of the subject property and therefore she must recuse herself from this item.
2. There is no specific recommended action at this time. Councilmembers are encouraged to read the following report and, if necessary, provide direction to Staff regarding the proposed design and material selection.

Background

The Belvedere Community Park Playground is an important recreational asset for the community. As such, it is one of the primary concerns of the Parks and Open Space Committee (POSC).

In 2018, the POSC recognized the need to remodel the playground. Play structures, fencing, and surface matting had begun to show excessive wear. For the last 18 months, the committee has been working with Belvedere residents, city staff, and a project architect to develop the preferred design depicted here and on page four of attachment "A."



The Planning Commission and City Council have reviewed and approved the design.

A private fundraising effort has been undertaken to raise money for the playground upgrade. To date, organizers indicate that \$140,000 has been pledged by private donors.

In December of 2020, Dr. Bill Rothman contacted the City to express concerns about potential health hazards related to use of the rubber surface material.

In February 2021, the POSC held a special meeting to address these concerns, which are related to the use of Pour-in-Place (PIP) surface matting (the attached report **Item "A"** was provided to the POSC as reference). The following is a summary of the special meeting:

- Staff provided a summary report on PIP research and findings.
- The committee Chair provided a signed list of more than 70 residents who supported the project and were in favor of the design concept, including the use of the surface matting.
- Dr. Rothman spoke to the committee on several toxicity issues related to the PIP matting. He asserted that, when the matting breaks down, the underlying materials might be eaten or ingested by children creating health risks.
- Committee members Bordon, Watson, Walker and Valente summarized their thoughts and expressed their reasoning for continued support of the proposed design.
- Committee member Lund advocated for the use of sand as a suitable alternative. The project architect pointed out that sand is not an approved ADA surface. Additional health concerns over parasites and animal fecal contamination caused the committee to rule it out as a viable alternative.

At the conclusion of the meeting, after hearing public comment on the issues, the Committee decided to 1) uphold its original decision to use PIP as the best practicable alternative, 2)

investigate and consider all-natural alternatives to PIP as they become available in US markets, and 3) commit to a rigorous maintenance routine for the life of the product.

In addition to the petition mentioned above, the City has received letters and emails relating to the issue of the PIP matting material. The City has also received letters from experts regarding the alleged health risks. These are attached to this staff report for your information.

Note: This agenda item does not allow for a specific decision by the Council. It is agendaized as a discussion item. The Council may ask questions and may direct staff to research options for consideration at a future Council meeting.

Fiscal Impact

The project has been fully designed by RHAA and is ready for public bidding once funds have been raised. Changes to the design would require additional work by the project architect; the cost of the redesign work would be dependent on the extent of the changes.

Attachments:

- A. February 23rd Memo to the POSC concerning PIP and attachments.
- B. Depiction showing PIP matting in the current design.



CITY OF BELVEDERE

Memorandum

TO: Belvedere Parks and Open Space Committee

FROM: Robert Zadnik, Public Works Director

SUBJECT: Summary of Findings for the Community Park Playground Surface Matting

DATE: February 18th, 2021

Recommended Motion/Item Description

- a. Reaffirm its earlier decision regarding PIP surface matting and recommend staff proceed with next steps for the proposed design.

OR

- b. Provide additional direction and request Staff return to the Committee at a future date with alternative proposals.

Background

In October of 2020, the Parks and Open Space Committee (POSC) approved a revised playground concept plan which included a remodel of the tots play area for the Community Park Playground. This plan was developed in cooperation with the Belvedere community, POSC, the Playground Task Force, City staff, and the project architect, RHAA.

Following this meeting, it was made known to the City that certain chemicals with potential health risks were present in the rubberized poured-in-place material (PIP). RHAA, staff and the city researched this topic and provided a verbal report in January of 2021, during the regularly agenzized Committee meeting. It was determined at that time that these reported health risks could be managed by the proper installation of the PIP material through a trained and certified professional contractor. In addition to this, the architect would specify a cleaner alternative rubber product, as opposed to recycled (used) crumb rubber material.

Given the importance of this decision, it was determined necessary that a special meeting should be held to discuss the topic in more detail and offer another opportunity to hear the community's comments. The following information is a brief summary of findings concerning PIP and other alternatives that were considered.

Findings

Poured-In-Place rubber surfacing consists of two components: the **surface layer** and the **base layer**. The surface layer is made up of virgin (non-recycled) rubber, coated in a urethane binder glue. The base layer is designed to absorb impacts and consists of pre-consumer scrap rubber (items rejected due to wrong color, surplus, production defects, etc.). Other options for the base layer are available, for example, cryogenic crumb rubber (recycled vehicle tires), and recycled styrene, butadiene rubber (SBR); however, these products are becoming less common for the industry and will not be specified for this particular project.

Concerns have been raised by a member of the community that general wear and tear can break the surface layer and expose children to the recycled rubber base layer and chemicals, particularly Styrene and Butadiene. It is important to point out that Styrene and Butadiene are present in the pre-consumer postindustrial reclaimed rubber that would be used as a base layer for this project, although to a lesser degree than other SBR and recycled tire options. At the time of this report, there are no Non-Recycled rubber base layer materials available on the market that are tested and certified to meet the ASTM and ADA accessibility and impact attenuation standards. Studies by the EPA, Consumer Product Safety Commission, and Office of Environmental Health have researched the exposure risks of PIP in playgrounds and deemed it safe, given the significantly low parts-per-million concentrations found in playground matting wipe-tests throughout the Nation. Additional detail has been provided in the attached RHAA letter.

Note: the referenced reports and studies (page 3 of the attached RHAA letter) are too large for this agenda packet. The files will be available at City Hall for public review.

Alternatives

Playground matting must conform with ASTM and ADA code for fall safety and wheelchair access. Currently, there is only one alternative surface material that meets both these requirements. Sand does not meet accessibility standards.

- Engineered Wood Fiber (EWF)

Pros:

- Easy to install
- Provides good impact absorption
- Less expensive than PIP
- Stays in place better than loose fill materials

Cons:

- Potential choking hazard
- Can hide insects, pests and animal feces
- Microbial growth can occur when material is wet
- Expensive to refresh and maintain
- Mold can grow on untreated wood
- Wood chips are typically treated with Copper Chromated Arsenic (CCA), a wood preservative and insecticide that can contain up to 30% arsenic

Summary

There are advantages and disadvantages to every product. Staff suggests that the proposed material does not present a health hazard. Based on the research conducted by the city, architect and playground task force, PIP surface matting has undergone intense review by a number of consumer and governmental agencies and has been deemed safe. It remains the preferred alternative for new playgrounds and has been used successfully in the industry for over 30 years.

Recommended Action

No specific action is necessary at this time; however, the Committee may:

- a. Reaffirm its earlier decision regarding PIP surface matting and recommend staff proceed with next steps for the proposed design.

or

- b. Provide additional direction and request Staff return to the Committee at a future date with alternative proposals.

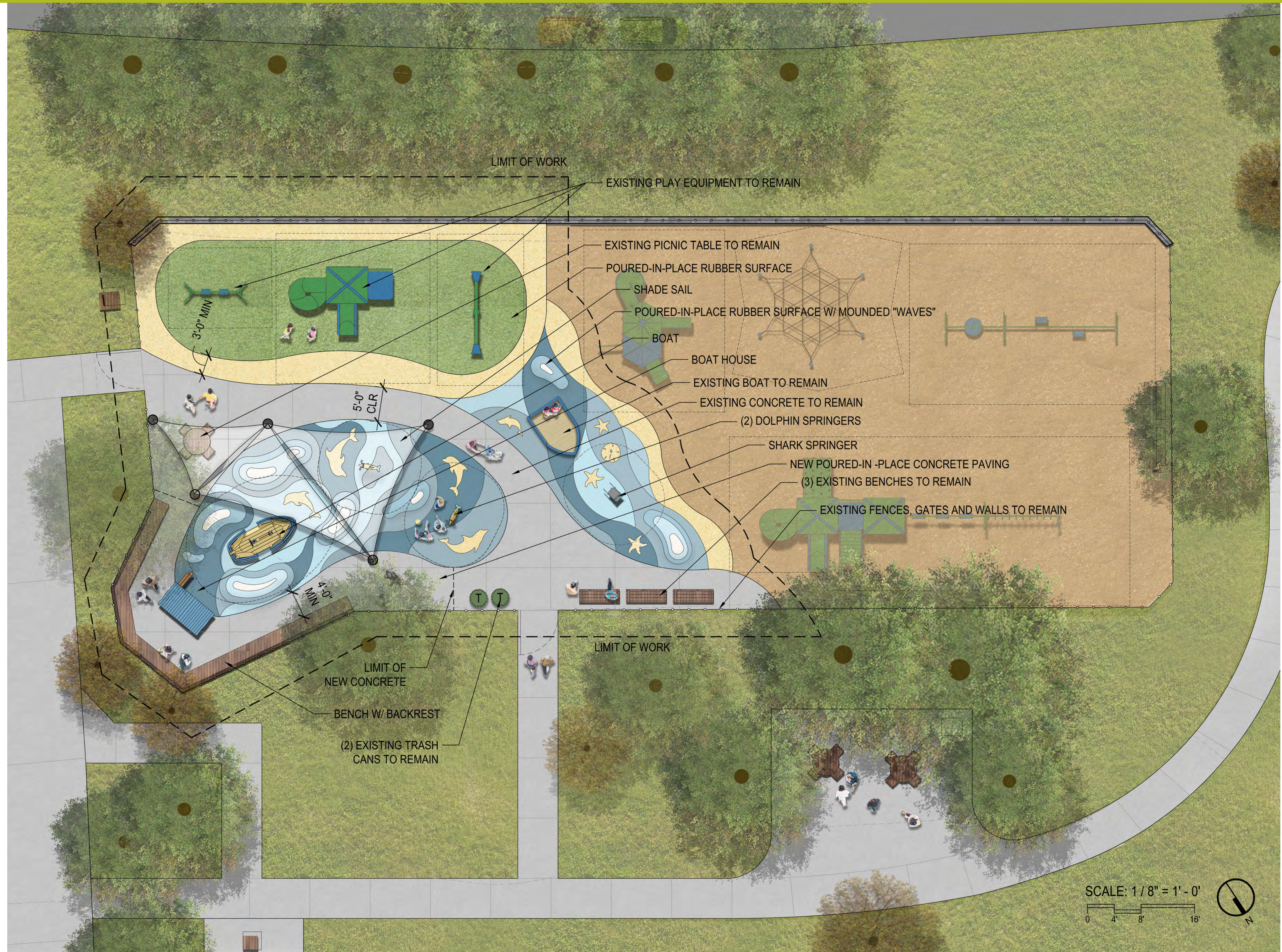
Attachments

- Committee approved playground design by RHAA.
- Response from Architect regarding PIP surface matting.
- Committee member Valente's summary on sand health hazards.

BELVEDERE PLAYGROUND



rhaa
Landscape
Architecture
& Planning



PLAN



Boat House
Kompan NR0414



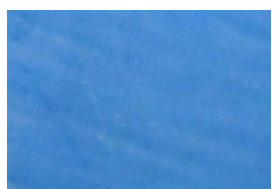
Boat
Kompan NRO514



Dolphin Springer
Kompan NRO111

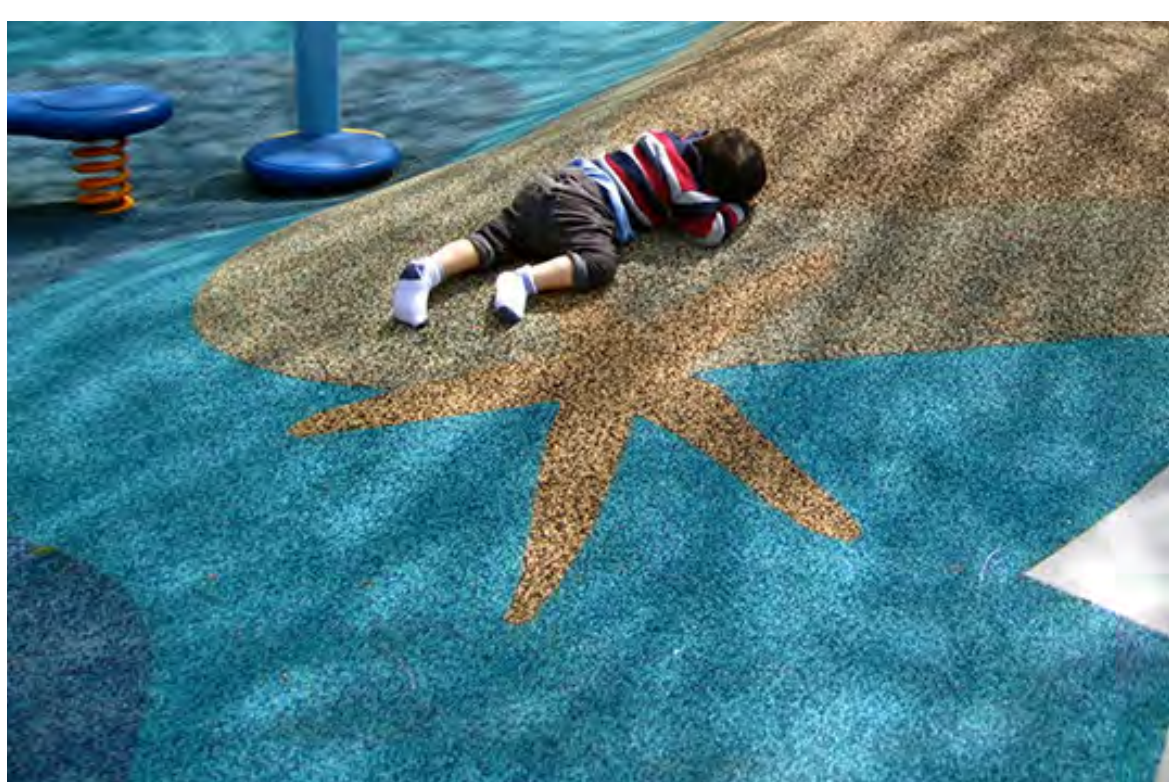


Shark Springer
Kompan PCM102



All Kompan play structures will be custom painted to match existing royal blue playground colors

PLAY ELEMENTS



Poured-in-place Rubber Surfacing



Shade Sail



Streetlife Rough & Ready Bench

SURFACING AND FURNISHINGS



December 18th, 2020

Robert Zadnik
Public Works Director | Emergency Preparedness Manager
City of Belvedere
450 San Rafael Ave.
Belvedere, CA 94920
Office (415) 435-4111
Fax (415) 435-0430

Main Office
225 Miller Avenue,
Mill Valley, CA 94941

San Francisco Office
323 Geary Street, #602
San Francisco, CA 94102

rhaa.com
415.383.7900

Project Address: Community Rd, Belvedere Tiburon, CA 94920
Scope: Renovation of Children's play area

RE: **Poured-in-place rubber surfacing.**

Rhaa understands that the industry standard for a poured-in-place rubber play surface consists of:

1. Base layer: An impact attenuation layer of cryogenic crumb rubber * or recycled styrene butadiene rubber (SBR)** or pre-consumer postindustrial reclaimed scrap rubber *** coated in a urethane binder.
2. Surface layer: A layer of virgin rubber (EPDM or TBP) coated in a urethane binder

* cryogenic crumb rubber *refers to untreated ground up passenger tires which will not be specified in this project.*

** Recycled Styrene, Butadiene, Rubber (SBR) will not be specified in this project.

****Most common in industry and will be specified in this project. Made of grounded, defective consumer rubber products that meet quality standards.*

Concerns have been raised by members of the community that general wear and tear can break the surface layer and expose children to the recycled rubber base layer and chemicals, particularly Styrene and Butadiene. Styrene and Butadiene are present in the pre-consumer postindustrial reclaimed rubber that would be used as a base layer for this project. There are no Non-Recycled rubber base layer materials available on the market that are tested and certified to meet the ASTM and ADA accessibility and impact attenuation standards.

If an instance occurs in which the recycled rubber content is exposed, meaning the surface layer and urethane binder is broken or worn down, a child in theory could be exposed to the recycled rubber content. In this case the Environmental Protection Agency, United States Consumer Product Safety Commission and the California Office of Environmental Health Hazard Assessment state the following:

- while chemicals are present as expected in the tire crumb rubber, human exposure appears to be limited based on what is released into air or simulated biological fluids – EPA [1]

- these surfaces would not cause skin sensitization in children, nor would they be expected to elicit skin reaction in children already sensitized to latex – California Office of Environmental Health Hazard Assessment - California Office of Environmental Health Hazard Assessment [5]
- There are 7 chemicals that could be considered carcinogens [in recycled rubber] but the concentration levels are below the level of one part per million that is generally considered an acceptable risk – California Office of Environmental Health Hazard Assessment [5]
- Zinc and four chemicals were measured [In wipe samples of in-use playground surfacing containing recycled tire rubber] that were at least three times background levels. Assuming playground use from one through 12 years of age the increased cancer risk was calculated to be 2.9 in one million which is generally considered to be an acceptable risk. – California Office of Environmental Health Hazard Assessment [5]
- no specific chemical hazards from recycled tires in playground surfacing are known by the CPSC at this time – CPSC [8]

Our understanding is that (based on their statements) federal and state health organizations have deemed poured-in-place rubber surfacing as safe for use in playground installation, provided the surfacing material is installed by a manufacturer that can prove compliance with all testing standards and any other applicable codes and it is maintained per the manufacturer’s specifications.

Rhaa acknowledges that at the time that the referenced statements produced, the EPA, COEHHA, CPSC along with other agencies are conducting ongoing testing and research into the safety of rubber surfacing materials. Please refer to the references on the following pages. It is the responsibility of the City of Belvedere to make the final determination on material use.

We will wait for the City’s direction on this matter. Please let us know how to proceed.

Sincerely,

Manuela King – President, RHAALandscape Architects

References:

1. <https://www.epa.gov/chemical-research/federal-research-recycled-tire-crumb-used-playing-fields> , Environmental Protection Agency Federal research summary statement.
2. *Synthetic Turf Field Recycled Tire Crumb Rubber Research Under the Federal Research Action Plan Part 1&2*” by Environmental Protection Agency (EPA), 2019
3. *“Association Releases Updated Information Regarding Use of Recycled Rubber on Playgrounds”*, by International Play Equipment Manufacturers Association march 2012
4. *“Summary of Playground Surfacing Focus Groups”* by Consumer Product Safety Commission (CPSC) United States of America, January 2018
5. *“Evaluation of Health Effects of Recycled Waste Tires in Playground and Track Products”* by the Office of Environmental Health Hazard Assessment and published by the California Integrated Waste Management Board., January 2007
6. *“Are Poured in Place Playground Surfaces Safe?”* by David Spease, ASLA, CPSI.
7. *SECTION 32 18 16.13 PLAYGROUND TPV PROTECTIVE SURFACING TOTTURF* by Robertson recreation.
8. <https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Crumb-Rubber-Safety-Information-Center> , United States Consumer Product Safety Commission

From: [Bryan Kemnitzer](#)
To: [Robert Zadnik - Public Works Director](#)
Subject: Fw: Sandbox horrors
Date: Wednesday, February 17, 2021 8:02:04 AM
Attachments: [Germiest Items in Public Places \(NSF International 2008\).pdf](#)
[Defecation habits of animals in sandboxes \(Kobe University School of Medicine 1996\).pdf](#)
[Parasite contamination of sand \(McGill University 1991\).pdf](#)
[Sandboxes for children contain C. difficile \(Spain 2017\).pdf](#)

From: Mario Valente
Sent: Tuesday, February 16, 2021 10:15 PM
To: Bryan Kemnitzer
Subject: Sandbox horrors

When public health-testing organization NSF International sampled 26 different items in public places, for a 2008 study on germs, they found that sandboxes were the worst offenders of all, harboring 2000x more bacteria/mold per square inch than the door handles of public restrooms. [See attached].

McGill University tested the surface sand from 10 local day-care centers in 1991. Two of the sandboxes were contaminated with eggs of a parasite called *Toxocara*. Once a child eats them, the eggs hatch in his or her body into larvae, which can burrow into the liver or lungs, causing substantial damage. [See attached].

Another parasite kids can get from sandboxes is *Toxoplasma gondii*, which is spread by cats. In one 1996 study, Japanese researchers spied on 3 urban sandboxes at night using camcorders and found that over 150 days, cats pooped in the boxes 961 times. They calculated that one of the sandboxes contained more than 1.5 million viable *Toxoplasma* eggs per square foot of sand, yet children need only ingest a single egg to get sick. Although *Toxoplasma* infections are typically mild, individuals with compromised immune systems can fall very ill. And when women become infected during pregnancy, their babies can develop brain or vision damage. [See attached].

Finally, we are also learning that the potentially fatal *Chlostridium difficile*, generally thought of as "hospital-acquired", is becoming more common in playgrounds. Spanish researchers, in 2017, found that *C. difficile* was found in 9 of 20 children's sandboxes in Madrid. Toxic strains of *C. difficile* can range from diarrhea to life-threatening colon inflammation. Even worse, all of the samples the team analyzed were resistant to at least 2 antibiotics. Researchers wrote that the presence of *C. difficile* "constitutes a major health risk." [See attached].

Germiest Items in Public Places

As part of NSF International's ongoing Scrub Club® handwashing public service campaign, our microbiologists set out to find out where germs hide in schools and other public places. Teaming up with Real Simple magazine, NSF's experts swabbed key surfaces in local schools, grocery stores and other public places

Although not all germs are harmful, the existence of germs on the tested surfaces indicates that there are favorable conditions for microorganisms to grow and survive, which could create an environment for disease-causing viruses and bacteria, such as *E. coli* and *Salmonella*. In other words, the higher the level of bacteria, the higher the probability that some of those bacteria are harmful.

The Results

As part of this study, NSF microbiologists swabbed 26 different public places, testing for the level of aerobic plate count (APC), also known as the general bacterial population, at each location. Our team found that the location that harbored the highest level of bacteria was a playground sandbox, revealing a combined count of 7,440 aerobic bacteria, yeast and mold per gram. Sandboxes are an ideal setting for bacteria, as they are not only exposed to wildlife, such as cats and raccoons,

but they can also hold on to bacteria that is left from human contact, such as saliva, food items and other bacteria from human hands.

Most Bacteria (Over 100 APC CFU/in2)	Relatively Clean (10-100 APC CFU/in2)	Clean (Less than 10 APC CFU/in2)
<ul style="list-style-type: none"> Public park sandbox 	<ul style="list-style-type: none"> Public park swing 	<ul style="list-style-type: none"> Dr. office checkout desk
<ul style="list-style-type: none"> Restaurant tray 	<ul style="list-style-type: none"> School computer mouse 	<ul style="list-style-type: none"> Dr. office magazine rack
<ul style="list-style-type: none"> School musical instrument 	<ul style="list-style-type: none"> School desk 	<ul style="list-style-type: none"> Dr. office toys
<ul style="list-style-type: none"> Theater video controller 	<ul style="list-style-type: none"> School earphones 	<ul style="list-style-type: none"> Dr. office waiting room chair
	<ul style="list-style-type: none"> School gym mat 	<ul style="list-style-type: none"> Library kids' books
	<ul style="list-style-type: none"> Store basket 	<ul style="list-style-type: none"> Restaurant restroom door handles
	<ul style="list-style-type: none"> Store floor 	<ul style="list-style-type: none"> School basketball
	<ul style="list-style-type: none"> Theater arcade 	<ul style="list-style-type: none"> School bus seat
	<ul style="list-style-type: none"> Theater restroom 	<ul style="list-style-type: none"> Store horse ride
		<ul style="list-style-type: none"> Store shopping cart

Video game controllers were also found to have high numbers of germs. When NSF's

microbiologists swabbed a game controller at a movie theatre that had just recently been cleaned by staff, the test results still showed an APC count of 551 bacteria per inch². Aside from a musical instrument and a restaurant serving tray, which showed APC counts in the 200s, the rest of the 22 swabbed locations produced an APC count below 100, which by many standards is considered clean.

Three growth factors determine a surface's potential for harboring germs and bacteria: the type of surface, temperature and moisture level. Non-smooth, warm and moist areas tend to create ideal conditions for thriving bacteria to grow and hide.

In past studies, NSF found that objects such as water fountain spigots and cafeteria trays had more microorganisms than commonly cleaned areas, such as bathrooms and gym mats. Although NSF's findings are a snapshot in time at the tested sites, the results reveal that we all need to be vigilant about sanitizing those hard-to-reach areas that people may forget to clean. It also reinforces the importance of teaching proper handwashing from an early age to protect against potentially harmful bacteria, viruses and other germs.

DEFECATION HABITS OF CATS AND DOGS AND CONTAMINATION BY *TOXOCARA* EGGS IN PUBLIC PARK SANDPITS

SHOJI UGA, TOSHIKADZU MINAMI, AND KENJI NAGATA

Department of Medical Zoology, Kobe University School of Medicine, Kobe, Japan; Research and
Technical Laboratories, Chemical Division, Shinto Paint Co., Ltd., Osaka, Japan

Abstract. The defecation habits of cats and dogs in three sandpits in urban public parks were observed by camcorder. Cats were the main cause of fecal contamination of these sandpits. Most (80%) feline defecations occurred at night between 6:00 PM and 6:00 AM. Each of the sandpits was used habitually as a defecation site by 4-24 cats, but these cats seemed to defecate elsewhere, as well. Fecal deposits within the sandpits were evenly distributed and did not tend to be concentrated in one area, suggesting that the cats avoided previously deposited feces when choosing a place to defecate. One sandpit was strongly contaminated and two were weakly contaminated with *Toxocara* eggs. Because sandpits are widely used as play areas for young children, effective sanitation measures should be implemented to prevent the contamination of sandpits by *Toxocara* eggs.

Toxocara canis and *T. cati* are nematodes usually found in dogs and cats, respectively. *Toxocara* eggs excreted from the host's body in feces can survive in the soil for months.¹ When these mature *Toxocara* eggs are ingested by humans, the larvae can migrate to the eye or viscera, causing severe disease. *Toxocara* has been the subject of much investigation as the cause of larvae migrans.¹

Many reports have pointed out that our daily environment is contaminated by *Toxocara* eggs. Studies have shown degrees of contamination ranging from less than 2% to 87% in backyards and gardens in the United States,² public playgrounds in Ireland,³ playgrounds of nursery schools in Nigeria,⁴ a lawn adjacent to a university clinic in Australia,⁵ and the soil around residences in Iraq,⁶ indicating that *Toxocara* contamination is a worldwide problem. Public parks are places of recreation and relaxation for people who live in cities. The sandpits there are important as play areas for young children, and so need special management from the standpoints of safety and hygiene. However, these public parks are often contaminated by *Toxocara* eggs.⁷⁻⁹ We earlier studied the sandpits of some public parks in Japan and found that the mean percentage of sandpits contaminated by *Toxocara* eggs was 13-69%, depending on the district, i.e., a mean of 69% of the sandpits were contaminated in urban districts with many factories and residences, with significantly less contamination in sandpits of suburban residential districts (18%) and rural communities (13%).¹⁰ The reason for this pattern is probably that most of the ground in urban districts is paved and there are few suitable places for cats to defecate, and so their fecal deposits are concentrated in the sandpits of public parks.

The investigations cited above focused on existing contamination; there are few studies that have analyzed the source of contamination or identified countermeasures. Snow and others¹¹ suggested that the eggs they recovered from sandpits in London parks were probably those of *T. canis* "owing to the defecation habits of cats" (i.e., cats were assumed to be unlikely to defecate where contaminated soil was found). Duwel¹² suggested that because of the many local dogs, the eggs recovered from children's sandpits in Frankfurt were probably those of *T. canis*. These suggestions were not based on detailed studies. Using scanning electron microscopy for identification, we have found that the ratio

of *T. canis* to *T. cati* eggs in the Japanese sandpits we examined was 1:3.¹⁰ However, the ratio of canine to feline defecations in the sandpits was not evaluated in that study. In another investigation, 35 fecal fragments per square meter of sandpit were reported,¹³ but whether the fecal deposits were those of dogs or cats was not determined.

The purposes of this study were to examine the defecation habits of cats and dogs in sandpits by detailed observation with a camcorder, and to identify the relationship between these habits and the contamination of sandpits by *Toxocara* eggs.

MATERIALS AND METHODS

Period of study and sandpits studied. The study lasted almost five months, from May 26 to October 16, 1993. Three sandpits in public parks in urban districts of Nishinomiya City, Hyogo Prefecture, Japan were examined. The environs of the parks in the study were crowded with many residences and shops, and the parks were small and equipped with only two or three kinds of play equipment, including a sandpit and a set of swings. The areas of the three sandpits studied and of the parks that contained them were as follows: sandpit A, 32 m² in a park area of 642 m²; sandpit B, 23 m² and 499 m²; and sandpit C, 18 m² and 854 m². Sandpit C, which was studied in more detail than the other two, was nearly rectangular and measured 3.6 × 5.0 m. On the southern side of this sandpit was an unbroken hedge of shrubs 30 cm tall, and 1 m behind that was a fence 150 cm tall.

Observations. A camcorder (CCD camcorder, 1K-53G; Toshiba, Osaka, Japan) was placed so that the entire sandpit was in view, and the species of animals that came to defecate, the time, and their behavior during defecation were recorded on videotape for 24-hr periods. All data to be observed were recorded on a 2-hr tape played very slowly. The tape was changed daily, and on playback the movements of the animals that had visited the sandpit were analyzed.

For the first 28 days of the study, all of the animals that entered each sandpit were recorded. The behavior of the cats and dogs that entered the sandpit was divided into two categories: a cat's or dog's remaining stationary for 10 sec or more in the characteristic defecation posture while in the sandpit was taken to be defecation behavior, and all other movements were taken to be transit behavior. In addition,

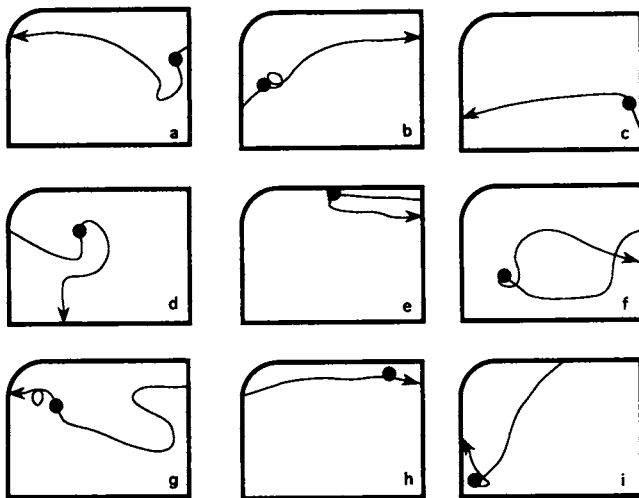


FIGURE 1. Movements and defecations of cats in sandpit C. The lines with arrows represent the movements of the cats, and the closed circles represent the defecation sites. The defecation habits of 117 visits by cats entering the sandpits were categorized into three patterns: defecation during the first third of the cat's stay in the sandpit (a-c), defecation during the middle third (d-f), and defecation during the last third (g-i). The incidence for each pattern was 10%, 27%, and 63%, respectively.

each animal's place of entry into and exit from the sandpit, movements within the sandpit, and site of defecation were recorded. After day 28, only the defecation behavior of cats and dogs was analyzed.

Test for *Toxocara* eggs and survey for cats and dogs kept as pets. We used the centrifugal flotation technique with a sucrose solution (specific gravity = 1.200) to recover eggs of the genus *Toxocara* from sand as described elsewhere.¹⁴ Fecal deposits recovered from the sandpits were examined to identify *T. cati* infection of cats (see Results for the reasons why dog fecal deposits were not examined). Specimens were recovered from the sites of defecation located by review of the videotape, and tested for the presence of *T. cati* eggs.

In the week beginning September 18, we visited residences within a 200-meter radius of sandpits A and C and asked the residents how many cats or dogs they kept as pets.

RESULTS

Only two species of mammals were observed during the first 28 days of the study, cats and dogs (a total of 249 visits by cats and 22 visits by dogs in the three sandpits).

Only transit behavior was observed in 86% (19) of the visits by dogs, which were all accompanied by their owners, and defecation behavior was observed in 14% (three). In contrast, defecation behavior was observed in 71% (176) of the visits by cats. The relationship between defecation behavior and actual defecation could not be ascertained by observation with the camcorder. Therefore, at times during the five-month observation period, we reviewed the videotape of the previous day and searched the sand in the areas seen on the videotape as probable defecation sites. We found the fecal deposits of 20 (91%) of 22 cats in this way, so there

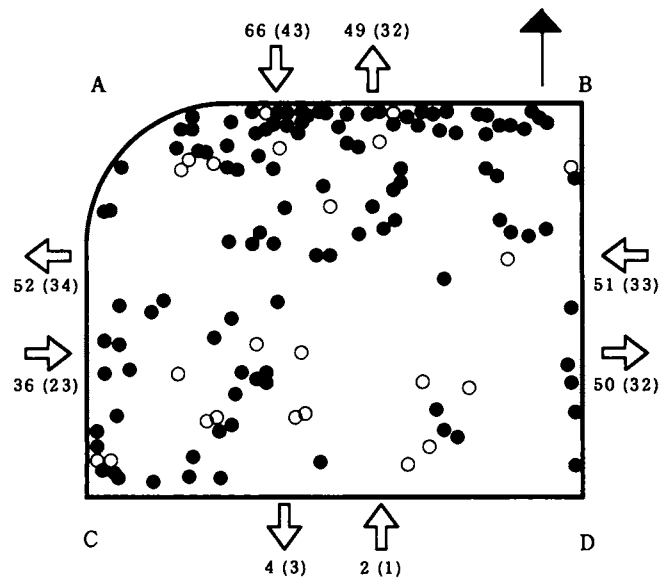


FIGURE 2. Defecation sites in sandpit C. Closed circles represent 110 defecation sites of 16 cats. Open circles represent 23 defecation sites of one cat (cat C-5). Arrows indicate the number (%) of times that cats entered or exited from that side of the sandpit. The dark arrow at the top right indicates north. Percentages do not necessarily add up to 100 because of rounding off.

was good agreement between filmed defecation behavior and actual defecation.

The behavior of cats after entering the sandpit and the timing of defecation were examined in a random sampling of 117 defecations in sandpit C. Figure 1 shows nine typical examples. The lines indicated by the arrows show the movements of the cats from entry to exit, and the closed circles represent defecation sites. Three patterns of defecation could be identified: defecation immediately after entry (during the first third of the cat's stay in the sandpit; a to c), defecation during the middle third of the stay (d to f), and defecation during the last third of the stay (g to i). The frequency of each of these patterns was 12 times (10%), 32 times (27%), and 73 times (63%), respectively. The mean \pm SD time that a cat spent in a sandpit when defecation behavior was observed was 137 ± 71 sec (minimum = 47 sec; maximum = 330 sec), and the mean \pm SD time a cat remained in the defecation posture was 42 ± 20 sec (minimum = 12 sec; maximum = 116 sec).

Figure 2 shows the defecation sites of cats in sandpit C. We examined 110 sites of 16 cats and 23 sites of cat C-5. Many of the sites were near edge A-B, but not all were concentrated at the periphery of the sandpit or in any other area (Figure 2). In the 155 times these cats entered and left the sandpit, only two (1%) times was the south side (edge C-D, Figure 2) used for entry, and only four (3%) times was this side used for an exit. This edge was next to shrubbery and a fence, as mentioned above.

Table 1 lists the numbers of cats and dogs observed in each sandpit during the study. Excluding the days when a sandpit could not be observed continuously for 24 hr because of camcorder malfunction or the park being used by nearby residents for summer festivals and the like, each sandpit was observed for 140 or 144 days (total = 424 park-

TABLE 1
Number of dogs and cats observed in three sandpits

Sandpit	Observation period (days)	Dogs		Cats		Mean no. of cats observed/day (range)
		Max.*	Total	Max.*	Total	
A	144	0	0	5	96	1 (0-5)
B	140	1	11	6	201	1 (0-6)
C	140	0	0	14	664	5 (0-14)
Total	424	-	11	-	961	-

* Maximum number of dogs and cats observed per day. - = not applicable.

days). During this time, a total of 11 canine defecations and 961 feline defecations were observed; almost all of the fecal contamination of the sandpits was caused by the cats. Therefore, the remainder of our analysis was limited to the data on cats. The total number of feline defecations observed during the observation period was 96 in sandpit A, 201 in sandpit B, and 664 in sandpit C. The mean number of cats observed to defecate in one of the sandpits was 1-5 per day. In sandpit C, 14 cats were observed to defecate during one day on three of the observation days.

We analyzed the time of day of the 961 feline defecations observed. There were peaks at 4:00 AM-6:00 AM and at 6:00 PM-8:00 PM. Eighty percent (772 defecations) of the defecations were between 6:00 PM and 6:00 AM.

Because observations were videotaped, we were able to differentiate among the animals that came to defecate. The number of cats that habitually used the sandpit for defecation was four for sandpit A, 10 for sandpit B, and 24 for sandpit C (Table 2). Of the cats whose fecal deposits were examined for *T. cati*, 25% (1 of 4) of the cats frequenting sandpits A and B and 67% (8 of 12) of the cats frequenting sandpit C were infected. Next, we attempted to recover *Toxocara* eggs (mean of 30 tests) from soil samples from these three sandpits. The mean number of eggs found in 200 g of soil was eight for both sandpits A and B and 21 for sandpit C. These results show that in the three sandpits, the percentage of cats infected by *T. cati* was low when few *Toxocara* eggs were recovered and high when many eggs were recovered. Only four cats were kept by residents in the vicinity of sandpit C, so almost all of the cats coming to defecate in that sandpit were stray cats. There were 23 dogs kept as pets in the vicinity of sandpit A, but no dog was seen to defecate in that sandpit during the 144 days of observation.

The 24 cats that habitually visited sandpit C were numbered C-1 to C-24 in the order of the number of times they appeared in the sandpit. Cat C-1, the cat most frequently seen in sandpit C, was observed on 84 of the 140 observation days and defecated a total of 160 times (mean = 1.1 times per day). The total number of times each of the 21 cats C-4 to C-24 defecated was less than 50 (mean = 0.3 times per day or less). None of the 24 cats that frequented sandpit C was observed in sandpits A or B (2 and 0.3 km distant in a straight line, respectively).

DISCUSSION

On the basis of its behavior in human hosts, *T. canis* has been assumed to be more important as the etiologic parasite in toxocarosis than *T. cati*. It is necessary to differentiate

TABLE 2

Numbers of cats observed in sandpits, numbers of cats infected with *Toxocara*, degree of contamination of sandpits, and numbers of pets nearby

Sandpit	Cats			Eggs/200 g of sand	Pets†	
	No.*	Tested	Infected (%)†		Cats	Dogs
A	4	4	1 (25)	8	4	23
B	10	4	1 (25)	8	ND	ND
C	24	12	8 (67)	21	4	7

* Number of different cats observed in each sandpit.

† Number and percent infected by *Toxocara cati*.

‡ Number of dogs and cats kept within 200 meters of the sandpit. ND = not done.

between the eggs of these two *Toxocara* species if this assumption is to be examined, but that is difficult because the eggs are similar in appearance. Therefore, previous studies have not strictly differentiated between the eggs of these species, and in some reports, the term *Toxocara* egg is used to mean *T. canis* egg, although no method is described for discrimination between the species.^{4,8} The eggs of *T. canis* are slightly larger than those of *T. cati*, but when we tried to distinguish between *T. canis* eggs and *T. cati* eggs on the basis of size alone, about 75% of the eggs could not be classified.¹⁰ Scanning electron microscopy can be used to identify individual eggs reliably.

No canine fecal deposits were found in two of the three sandpits observed in this investigation. At least 30 dogs were kept as pets by residents in the neighborhoods around these sandpits, so the reason canine feces were not found in the sandpits was probably that the dog owners in these neighborhoods kept their dogs from defecating there. Dogs are to be kept on a leash, according to local regulations, and the regulations are almost universally observed. In sandpit B, 11 canine defecations were seen during the 140 days of observation, and all of these dogs were accompanied by their owners. The degree of contamination by *T. canis* eggs was greatly influenced by the behavior of dog owners with regard to where they allow their pets to defecate. Many canine fecal deposits were found along the paths where dogs were walked in residential areas, and we found *T. canis* eggs in 100% of the 10 soil samples from these paths. These findings suggest that contamination by *T. canis* eggs tends to increase with time since eggs are viable for months and are being added daily with few systematic measures taken to remove them. Such contamination would be particularly severe in areas where dog walkers do not follow the custom of collecting fecal deposits for proper disposal.

Almost all of the fecal contamination of sandpits in public parks was caused by cats. The mean time a cat was in a sandpit was 137 sec. During the 95 sec left after subtraction of the time taken for defecation, the cats wandered around the sandpit, but we did not observe behavior such as resting, grooming, or playing. These results suggest that the only reason the cats came to the sandpit was to defecate. In 117 visits, defecation was during the last third of the visit 73 (63%) times. Because entry into sandpit C along edge C-D was obstructed by shrubbery, a slight lack of uniformity was found in the cats' defecation sites, but those of cat C-5 (open circles in Figure 2) were fairly evenly distributed within the sandpit. These findings suggest that although cats like the

properties of sand and enter the sandpits to defecate, they do not defecate in a single site that they are attracted to by smell, but instead seem to avoid the sites that carry the odor of their own previous defecations. This disposition of cats to defecate where they have not defecated before seemed to be the cause of the wide distribution of *Toxocara* eggs in the sandpits. Macdonald and others¹⁵ reported that both urine and feces are invariably left unburied when barn-dwelling cats are away from the barn. All of the cats we observed buried their feces after defecating, and one reason may be that they lived near the sandpit. The cats' sphere of action was limited by the traffic conditions of the area around the parks. Thus, we decided that a radius of 200 meter from the sandpit was sufficient in our survey of dogs and cats kept by residents.

Sandpit C, which was the most contaminated of the three sandpits studied, was used by 24 cats as a defecation site. The cats defecated a total of 664 times during the 140-day observation period. Yet even cat C-1, the cat that came most often to sandpit C and defecated 160 times, did not come to this sandpit for a whole week several times. The mean number of defecations per day exceeded one only for cat C-1. These results show that all of the cats that defecated in sandpit C must have had other defecation sites besides this sandpit. These results suggest that the cats' attachment to sandpits is not particularly strong, and that they will defecate elsewhere if some physical or chemical obstacle prevents them from defecating in a particular location. The results of these observations were the basis for measures taken in one study to control fecal contamination by the use of a repellent, with the result that the number of cats defecating in the sandpits of three parks was reduced by two-thirds.¹⁶

Eighty percent of the defecations occurred at night, which suggests that when measures to prevent the fecal contamination of sandpits are being planned, methods that focus on nighttime defecations would be most effective.

The results of our previous studies^{13,14} showed that some sandpits are strongly contaminated and some are weakly contaminated by *Toxocara* eggs. There was no difference between strongly and weakly contaminated sandpits we studied in terms of size, the surroundings, the daily hours of sunlight, the size of the grains of sand, the pH of the sand, or whether trees had been planted nearby, and it is unclear why the sandpits have different degrees of contamination. The percentage of cats (25%) infected with *T. cati* that used the weakly contaminated sandpits A and B was about the same as the mean percentage of parasitic infection for that region (22%),¹⁷ but 67% (eight of 12) of the cats that used the strongly contaminated sandpit C were infected with *T. cati*. These results probably showed that sandpit C was strongly contaminated by *Toxocara* eggs not simply because more cats came there to defecate, but also because more of the cats that came there were infected with *T. cati*.

Infection of cats and dogs in this district by 15 or 16 types of helminths has been reported.¹⁷ The fecal deposits of cats and dogs result in contamination of sandpits by parasites other than *T. cati* and *T. canis*, and from the standpoint of public health, other such contamination (e.g., *Cryptosporidium*, *Acanthamoeba*, *Toxoplasma*, and *Trichuris vulpis*) is a problem that should not be ignored. The results of a survey by questionnaire of 300 mothers with children 1-9 years of

age living in Tokyo or Osaka showed that playing with sand was the seventh best-liked recreation of 40 choices (Proctor and Gamble Far East, Inc., Kobe, Japan, unpublished data). These results suggest that sandpits are a popular and important play area for young children. Knowledge of the defecation habits of cats and dogs will help in the planning of effective measures to prevent the fecal contamination of sandpits in public parks.

Acknowledgments: We thank the staff of the Urban Improvement Department, Nishinomiya City Office, for permission to study the sandpits and for cooperation with our survey of residents by questionnaire; K. Yahara and N. Asai of the Chemical Division, Research and Technical Laboratories, Shinto Paint Co., Ltd., for technical assistance during the playback of videotapes; and Brook Neal and C. Latta for reviewing the manuscript.

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Parasite contamination of sand and soil from daycare sandboxes and play areas

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TW GYORKOS, E KOKOSKIN-NELSON, JD MACLEAN, JC SOTO. Parasite contamination of sand and soil from daycare sandboxes and play areas. *Can J Infect Dis* 1994;5(1):17-20.

OBJECTIVES: To determine if there was parasite contamination in the sand and soil in daycare sandboxes and play areas, with the goal of developing practice guidelines for their management.

METHODS: One hundred samples of sand and soil from 10 daycare centres in different regions of the province of Quebec, collected between April 22 and May 6, 1991, were examined.

RESULTS: *Toxocara* eggs were found in both surface and subsurface sand from two Montreal centres and co-occurred with *Ascaris* species (surface sand) in one centre and with hookworm (surface soil) in the second. Hookworm eggs were also recovered from one centre in the Quebec City region.

CONCLUSIONS: These results document the presence of potentially pathogenic helminth parasites in the daycare environment. Evidence from the literature regarding the health risk to children is insufficient and highlights the need for further research into the assessment of the risk of human infection and morbidity, the viability of these parasites under different environmental conditions and practical issues related to the management of sand and soil.

Key Words: *Child daycare centres, Environmental microbiology, Parasites, Toxocara*

Contamination parasitaire du sable et de la terre dans les carrés de sable et les terrains de jeux des garderies

OBJECTIF : Développer des directives pour la protection du sable et de la terre des carrés de sable et des terrains de jeux des garderies contre une possible contamination parasitaire.

MÉTHODE : Cent échantillons de sable et de terre obtenus auprès de 10 garderies dans différentes régions du Québec ont été recueillis entre le 22 avril et le 6 mai 1991 pour fin d'étude.

RÉSULTATS : Des oeufs de *Toxocara* ont été trouvés tant à la surface que sous la surface des carrés de sable de deux garderies de Montréal, avec l'espèce *Ascaris* (sable de surface) dans une garderie, et l'ankylostome (terre de surface) dans le second établissement. Des oeufs d'ankylostome ont également été identifiés dans un centre de la région de Québec.

CONCLUSIONS : Ces résultats attestent de la présence de parasites helminthiques potentiellement pathogènes dans l'environnement des garderies. Les résultats présentés dans la littérature au sujet du risque que courent les enfants sont incomplets et rappellent la nécessité de pousser la recherche pour évaluer le risque d'infection et de morbidité chez l'humain, la viabilité de ces parasites selon différentes conditions environnementales, ainsi que les aspects pratiques liés à la prévention des infections transmises par le sable et la terre.

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Presented at The International Conference on Child Day Care Health: Science, Prevention and Practice, June 15-17, 1992, Atlanta, Georgia, USA, and at the Royal College of Physicians and Surgeons of Canada Annual Meeting, September 11-14, 1992, Ottawa, Ontario

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Received for publication February 23, 1993. Accepted April 14, 1993

IT IS WIDELY RECOGNIZED THAT SAND AND SOIL FROM AREAS accessible to dogs and cats are likely to be contaminated by parasites (1,2). In fact, the geographic distribution of geohelminths such as the dog or cat roundworm (*Toxocara* species) can be thought of as being as widespread as that of their hosts. Public parks, playgrounds, beaches, backyards, gardens, kennels and kindergarten sandpits in localities around the world have all been documented as sites of toxocara contamination (Table 1) (3-12). Daycare centres differ in most, if not all, of these environmental sites in that the external environment is completely enclosed (there is usually legislation to this effect), thereby restricting or completely eliminating access by animals, especially dogs, the principal transmitters of *Toxocara canis*. One important exception relates to cats, which transmit *Toxocara cati*; however, this parasite is generally considered to be less important than *T. canis* in causing human infection (1). To date, environmental contamination of parasite origin within the daycare setting has focused on the internal, and not the external, physical environment (13). However, as new opportunities for contamination become recognized (for example, sand play areas are no longer restricted to the traditional sandbox, which could be covered, but include large areas with all types of recreational structures, which cannot be practically covered), and as awareness of environmental and public health concerns increases, an evaluation of the nature and risks associated with this type of potential contamination is warranted.

Humans acquire toxocariasis by ingesting infective eggs from matter contaminated with dog or cat feces. The toxocara infection rate in human populations is known to vary considerably (seroprevalence estimates range from 3 to 30%) according to geographic and demographic factors (1, 14). Children attending daycare centres are under the age of five, the peak age of first infection and the age of high risk behaviours such as geophagia and lack of personal hygiene skills. While

most infections with these parasites remain asymptomatic, there exists some (as yet unquantified) risk of disease (visceral larva migrans, ocular toxocariasis) following exposure. Fatal outcomes have been reported, but these are extremely rare (15).

Because of the importance of sand in the daycare environment, questions have arisen concerning its proper maintenance and management. However, in reviewing the evidence with the intent of developing practice guidelines, it was unclear whether these should take into consideration possible contamination from microorganisms. Therefore, a study was undertaken to investigate the occurrence of contamination in sand or soil play areas of daycare centres, using geohelminths as indicators of this contamination.

METHODS

Specimen collection: Ten daycare centres in different geographical regions in the province of Quebec (Montreal, six; Quebec City, two; Shawinigan, two) were selected for collection of sand and soil specimens between April 22 and May 6, 1991. The daycare centres were selected in an arbitrary manner. Two daycare centres located within the Département de santé communautaire territoire of five members of the Comité provincial des maladies infectieuses en service de garde (an advisory committee to the Director of Public Health) were invited to participate in the study. All agreed. Five sand specimens from sandboxes and play areas and five soil specimens from grass or around fences were obtained in 100 mL collecting bottles containing 50 mL fixative (sodium-acetate-formalin). Each specimen consisted of approximately 75 g of surface (less than 2 cm deep) or subsurface (2 to 10 cm deep) sand or soil.

Laboratory examination: Both zinc sulphate flotation and ethyl acetate concentration methods were performed on each specimen. Approximately 20 microscope slides per specimen were examined by two experienced parasitology laboratory technologists. Only

TABLE 1
Studies illustrating diversity of environmental parasite contamination by toxocara

Reference	Locality (Year)*	Type of environment†	Number tested	Number positive (%)
3	Britain (1973)	Public parks	10	10 (100)
4	Frankfurt (1984)	Sandpits (playgrounds)	31	27 (87)
5	Southwest Michigan (1989)	Public parks	3	2 (67)
6	Montreal (1976)	Public parks	10	6 (60)
7	Illinois (1988)	Public parks	23	11 (48)
8	Dublin (1991)	Household gardens Public parks	26 17	10 (38) 2 (12)
9	Baton Rouge (1984)	Public parks	20	4 (20)
10	Baltimore (1985)	Backyards and gardens	146	16 (11)
11	Perth (1984)	Sand (dog 'beach') Public parks	200 6	0 (0) 0 (0)
12	Brisbane (1990)	Kindergartens (sandpits)	30	0 (0)

*Date of publication; †Unit of observation (descriptor indicating origin of type of specimen examined)

qualitative determinations (presence/absence) of parasites were made. Parasites observed were mounted and photographed. Photographic slides of parasites were sent to Centers for Disease Control and Prevention for confirmation.

Questionnaire: Questions concerning the maintenance and replacement of the sand and the presence of animals within the enclosed exterior of the daycare were asked of each centre coordinator. Specifically, maintenance questions determined whether there was general maintenance (removal of debris, raking) or cleaning with solvents (chlorine, javel water, etc) of sandboxes and other sand and soil areas. The frequency with which new sand and/or soil was added was also obtained. Reports on the presence of animals concerned day- or night-time observation of dogs and cats specifically, with an option for the reporting of other types of animals. In addition, a sketch of the external environment depicted the location of physical structures, sandboxes and play areas, as well as the sites of specimen collection.

RESULTS

Parasites were recovered from three of 10 daycare centres, two from Montreal area centres and one from the Quebec City area (Table 2). *Toxocara* eggs were found in both surface and subsurface sand from the two Montreal centres and co-occurred with *Ascaris* species (surface sand) in one centre and with hookworm (surface soil) in the second. Hookworm eggs from surface soil were recovered from one centre in the Quebec City region.

Of the three centres where contamination was found, all but one had more than one sand play area. Sand from all three centres was reported to be treated with cleaning solvents, but only one specified the solvent (javel water) and the frequency with which it was used (annually). New sand was brought in at least every two years. No animals had been observed either during the day or the night in two centres, but in the third, dogs had been seen on centre property during the day. The location of the sand specimens from the two centres from which toxocara eggs were recovered included a large sand play area and sand from around a swing set.

Of the seven centres in which parasite contamination was not found, all had more than one sand play area. Two centres did not use any cleaning solvents, three used javel water, one used chlorine water and one did not specify the cleaning agent. Javel water was reported to be used once or twice per year. New sand was brought in in two centres every year, in one centre after the fifth year and in the remaining centres, every two or three years. Two reports of animals seen during the day included a raccoon and birds. During the night, either by direct observation or by inference (presence of fecal material), the following animals were reported

TABLE 2
Parasite recovery from sand and soil of daycare centres in three different regions in Quebec – Spring 1991

Daycare centre	Parasite	Sand or soil	Surface or subsurface	
Montreal	A	None found		
	B	<i>Toxocara</i>	Sand	Surface
		? <i>Ascaris</i> species	Sand	Surface
	C	None found		
	D	None found		
	E	None found		
F	<i>Toxocara</i>	Sand	Subsurface	
	?Hookworm	Soil	Surface	
Quebec	A	?Hookworm	Soil	Surface
	B	None found		
Shawinigan	A	None found		
	B	None found		

In all cases, 10 specimens were evaluated

from three centres: cats, dogs, squirrels, raccoons, pigeons and mice.

DISCUSSION

The presence of parasite contamination in the external daycare environment found in this study was not completely unexpected. *Toxocara* contamination had previously been reported from the Montreal area (6), and the type of temperate climatic conditions prevalent in this region would not prevent completion of the parasite's life cycle (16). However, because the external environment of daycares in the province of Quebec must be enclosed by a security fence at least 1.2 m in height (17), fecal contamination by dogs was considered unlikely.

Our findings differ from studies that have examined sand from kindergartens, an environment most similar to that of daycares (4,12). No toxocara parasites had been recovered from sand taken from two kindergartens in Frankfurt (4), nor from 41 sandpits obtained from 30 kindergartens in Brisbane (12). Although the efficacy of the laboratory method had been verified in the latter study, a review of the methods of sand collection, processing and laboratory examination used in the studies reported here indicate an extreme lack of standardization and the possibility that low densities of parasites would be missed.

Other enclosed types of environment examined were household backyards and gardens (8,10). *Toxocara* contamination was reported at levels of 38 and 11%, respectively.

While no attempt was made to quantify the amount of sand contamination or to determine the viability of eggs in our study, it is clear that these two issues will need to be examined to provide an estimate of the risk of human infection. An assessment of the determinants of risk (eg, age specificity, type of play area) will assist in the development of targeted preventive actions. How-

ever, the mere presence of these parasites indicates that measures need to be taken to eliminate animal fecal contamination from the daycare environment. There are published Canadian and American standards for the management of sand in sandboxes (18,19); however, these have been formulated in the absence of any demonstrated effectiveness of, for example, cleaning solvents or turning over of sand, on geohelminth contamination (personal communication). It should also be noted that these standards refer exclusively to sandboxes or sand play areas that can be covered and do not include larger (uncoverable) sand play areas, where toxocara contamination was shown to occur in our study.

Minimal preventive measures for the external daycare environment include: first, maintenance of all fences and gates, and second, immediate removal of any fecal material. The need for covering, replacing or turning over sand and the frequency with which this should be done in the different types of sand play areas requires further study. Sand can be decontaminated using methods such as sterilization (20), but this is probably too impractical for application in daycares. Cleaning sand with chemical cleaning solvents like javel water has not been effective in destroying toxocara eggs; however, exposure of eggs to direct sunlight is effective (2). Practical and cost-effective recommenda-

tions based on these observations in terms of preventive actions at the disposal of daycare personnel requires rigorous examination.

In addition to the above two preventive measures, daycare personnel and children should understand the importance of adequate hand-washing practices and the avoidance of ingestion of nonfood matter (eg, sand, soil).

These measures must ideally coincide with municipal control of stray animal populations and the mutual collaboration of pet owners and veterinarians in the adequate de-worming of domestic dogs and cats.

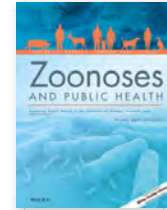
Parasite contamination in this report has focused on geohelminths. However, extension of these proposed investigations to include other pathogenic microorganisms should also be considered to ensure that practice recommendations regarding the maintenance and management of sand and soil are comprehensive.

ACKNOWLEDGEMENTS: Support from the Comité provincial des maladies infectieuses en services de garde, the Département de santé communautaire and the McGill University Tropical Disease Centre of the Montreal General Hospital is gratefully acknowledged. We also thank Dr Peter M Schantz for consultation on the identification of parasites and comments on material presented. Drs Gyorkos and Soto are members of the Comité provincial des maladies infectieuses en services de garde. Dr Gyorkos is a National Health Research Scholar (NHRDP)

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Volume **65**,
Issue **1**

February 2018

Pages 88-95

ORIGINAL ARTICLE

Recreational sandboxes for children and dogs can be a source of epidemic ribotypes of *Clostridium difficile*

Cristina Orden, Carlos Neila, José L. Blanco ✉, Sergio Álvarez-Pérez
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First published: 07 July 2017 | <https://doi.org/10.1111/zph.12374> | Citations: 13



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Research Funding

Spanish Ministry of Economy and Competitiveness. Grant Number: AGL2013-46116-R

Keywords

children

Summary

Different studies have suggested that the sand of public playgrounds could have a role in the transmission of infections, particularly in children. Furthermore, free access of pets and other animals to the playgrounds might increase such a risk. We studied the presence of *Clostridium difficile* in 20 pairs of sandboxes for children and dogs located in different playgrounds within the Madrid region (Spain). *Clostridium difficile* isolation was performed by enrichment and selective culture procedures. The genetic (ribotype and amplified fragment length polymorphism [AFLP]) diversity and antibiotic susceptibility of isolates was also studied. Overall, 52.5% (21/40) of samples were positive for the presence of *C. difficile*. Eight of the 20 available isolates belonged to the toxigenic ribotypes 014 ($n = 5$) and 106

belonged to the toxigenic ribotypes 014 ($n = 3$) and 100 ($n = 2$), both regarded as epidemic, and CD047 ($n = 1$). The other 12 isolates were non-toxigenic, and belonged to ribotypes 009 ($n = 5$), 039 ($n = 4$), and 067, 151 and CD048 (one isolate each). Nevertheless, all isolates (even those of a same ribotype) were classified into different AFLP genotypes indicating non-relatedness. In conclusion, our results revealed the presence of epidemic ribotypes of *C. difficile* in children's and dog's sandboxes located nearby, which constitutes a major health risk.

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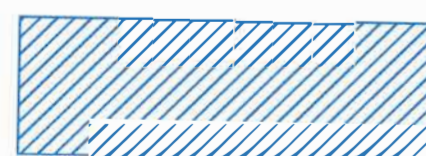
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WILEY

BELVEDERE PLAYGROUND DESIGN PLAN RUBBER SURFACE AREA

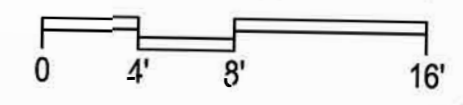


LEGEND



RUBBER SURFACE AREA

SCALE: 1/8" = 1'-0"



Subject: Approve the Playground Design As-Is
Date: Saturday, August 7, 2021 2:12:12 PM

A group of local parents and I who are actively trying to better the City of Belvedere have dedicated time, effort, and money to the playground renovation project over the past 2.5 years. After arriving at finalized plans, building the fundraising website (www.belvedereplayground.com), defeating the opposition to the playground at the February Parks & Open Spaces special meeting, and hosting a very successful and well attended fundraising event, it is maddening that City Council is now waffling on the renovation to appease a vocal minority of largely non-playground using citizens.

Changing the plans at this point to coat the park solely in engineered wood is not an option for the following reasons.

1. Children under two cannot play on it. The children may eat and choke on it, and the surface is uncomfortable to sit or crawl on. Anyone with young children realizes that engineered wood would make the playground utterly unusable for any child under two years old.
2. Any mobility-impaired person has difficulty walking on it, which invites ADA lawsuits, despite what the suppliers may say about its accessibility.
3. A large portion of the community has already donated or pledged to donate to the playground renovation expecting the existing design to be implemented.

Should the design be totally changed at this point, I will be asking for my money back, and I will be contacting everyone who has donated thus far to let them know that the plans have changed and they might wish to request their money back, too. I will also no longer be working to get the renovation done, and it is my understanding that the rest of the team of parents who have worked on this project will be pulling their support as well.

Make the right – and only logical -- decision. Do not modify the existing design for the playground.

Adam McNeile

Subject: Playground Review, Monday August 9
Date: Monday, August 9, 2021 11:26:27 AM

To the Belvedere City Council:

I am writing to you as a donor to the playground restoration project and a parent whose 2 children aged 3 and 6 spend many hours at the playground each week. My youngest is there right now as I write this to you. I am an MD family physician, and graduate of UCSF school of medicine.

I support the playground restoration as designed. My husband and I donated to the project under the belief that it would go forward as approved.

There is no perfect playground surface available; each has its drawbacks.

Rubber matting is safe for falls and easy even for toddlers and those with mobility impairments to navigate. The most serious drawback is the potential for children to ingest carcinogens once the matting has begun to break down. There's a simple solution to that problem; replace the matting when it becomes worn. As astute and aware parents and community, we will certainly spot any problems and we are happy to contribute to the cost of replacement when the time comes.

When other materials that were discussed at the prior meeting become available in this country and are ADA approved, we can reassess and replace the rubber matting at that time.

In the meantime, we would like to see the playground project move forward quickly without further redesign, using the materials already specified.

Thank you,
Alex Zaphris (Fisher) MD and Gary Fisher
320 Golden Gate Ave, Belvedere

--

Alex Zaphris, MD, MS
Primary Care, Integrative Medicine + Addiction Medicine

Subject: For the 8/9 City Council packet
Date: Sunday, August 8, 2021 12:03:17 PM

TO: Mayor James Campbell
Belvedere City Council Members
FROM: Annette Ryan
RE: Proposed Matting for Playground

In 2004 our Committee completed the playground as you have seen it most recently. This group was comprised of three young Mothers and two Grandmothers. I was one of the latter who wanted our ten Grandkids (under age nine) to have a fun and SAFE play area.

We spent two years, with the excellent assistance of Belvedere City Engineer, Bob Branz, researching the various elements of our project. This included visiting over 60 playgrounds viewing what would be best fo our children.

This brings me to the current discussion about the Matting replacement. The matting we used exceeded the ten year guarantee. There were no reports of any ill effects to children playing on it. We would NEVER have chosen to put any child at risk health wise.

Currently, I sat in on the meetings of the recent Playground Committee. A report from Dr. Debbie Bennett, PHD, was obtained by Bryan Kemnitzer that nullified any health concerns related to the currently proposed matting. It needs to be said that Bryan and Robert Zadnic carried the major load for this Committee.

PLEASE ALLOW THE MATTING TO BE INSTALLED NOW SO THAT OUR CHILDREN CAN ONCE AGAIN ENJOY THIS WONDERFUL PLAYGROUND.

Thank you,
Annette

Subject: Support for the rubber material in new playground
Date: Saturday, August 7, 2021 1:05:27 PM

Dear Ms. Haener,

We support the use of the rubber material in the new redesign of the Children's Playground in Community Park.
It is one reason we made a donation to support the redesign.

Thank you,

Barbara and Mordechai Winter

Sent from my iPhone

Subject: Belvedere Park
Date: Sunday, August 8, 2021 7:11:03 PM

To the Belvedere City Council,

I want to express my support for the playground plan done by the Parks and Open Space Committee.

Their research was thorough and I hope the City Council will approve the project.

Bill Smith
56 Lagoon Road
Belvedere

Subject: Playground
Date: Friday, August 6, 2021 10:42:32 AM

Beth

I support the playground as designed! Nancy and I made our donation based upon the design with the rubber matting.

Please provide to city council for the August 9th meeting.

Thanks,

Bryan

Subject: Playground
Date: Saturday, August 7, 2021 11:00:08 AM
Attachments: [20210807_SPECIAL MEETING PARKS AND OPEN SPACE COMMITTEE TUESDAY..pdf](#)

Beth

Attached are the minutes from the special meeting of the Parks and Open Space on February 23rd 2021 showing substantial support for the playground as designed with rubber matting. All of the supporters are parents who have children who play in the park and as can be seen they are strong supporters of the design with rubber matting.

Please include this email and the attachment in the record for the Aug 9th meeting.

Thank you

Bryan Kemnitzer

**SPECIAL MEETING
PARKS AND OPEN SPACE COMMITTEE
TUESDAY, FEBRUARY 23, 2021, 4:00 PM
REMOTE WEBINAR VIA ZOOM**

MINUTES

COMMITTEE PRESENT: Chair Bryan Kemnitzer, Anne-Marie Walker, Jena Watson, Jean Bordon, Kathy Pearson, Mario Valente and Carolyn Lund

COMMITTEE ABSENT: None

OTHERS PRESENT: Public Works Director Robert Zadnik, Council Liaison James Campbell, City Manager Craig Middleton, Office Coordinator Christina Cook, RHAA's Manuela King and Kendra Manning

These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available on the City website at www.cityofbelvedere.org

CALL TO ORDER OF REGULAR MEETING

The meeting was called to order at 4:00 PM.

Chair Kemnitzer read the COVID-19 disclaimer and special instructions for Zoom webinars. He also read the only scheduled item and reminded the public they can speak in the open forum on any topic except for this one.

ROLL CALL

Roll call was taken by Public Works Director Zadnik.

OPEN FORUM

Public Comment was called by Zadnik, there was no public comment.

SCHEDULED ITEMS

Chair Kemnitzer reviewed the upcoming schedule of the meeting and noted some of the speakers that would be presenting. Chair Kemnitzer reviewed previous outcomes and decisions of the Committee and Council and then read into the record a statement. Director Zadnik read into the record a portion of the RHAA report. Reviewed ASTM standards. He stated that the maintenance schedule of the rubber matting is important. This was the end of Director Zadnik summary. RHAA's Manuela King reviewed the plans that were provided in the agenda. RHAA's Kendra Manning was traveling and unable to participate. Committee Member Valente reviewed surface systems.

Committee Comment was called for. Chair Kemnitzer read a letter of thanks record the Committee received signed by seventy four parents with seventy nine children.

Public Comment was called for.

1. Adam McNeile – supports the approved plans
2. Ethan Doyle – supports the plans and supports Adam
3. Allison Richards – Children, 3 boys aged 3, 5 and 7 years. Lives in Tiburon.
4. Nikki Perlman and husband support the playground
5. Claus Lund, Belvedere 3 kids. Did not want sandbox removed or toxic materials used. Materials being discussed have been outlawed in several countries for playgrounds and sports.
6. Kristin Kemnitzer – Supports the approved playground plans. She read a statement.
7. Director Zadnik read the following comment from Heidi Robinson who voiced her opinion via the chat feature. She lives at 303 San Rafael Ave. Hello - Unfortunately, I need to step away from the call to take care of my children and won't be able to speak. I live at 303 San Rafael Ave, just down the road from the playground and am a huge supporter of the playground as designed and approved. We have found the playground and park a refuge throughout their lives, Annika is 4 and Axel is 2, and especially since reopening during Covid. We feel confident in the approved plan and look forward to continuing to enjoy a safe, accessible and hygienic playground for years to come. Thank you for your consideration. Best regards, Heidi Robinson
8. Marshall Butler and wife Ashley – huge supporters.
9. Marcia Valente 14 Laurel 3 girls 11, 9 & 5. No dangers from PIP materials
10. William Rothman as Ezra Brower. Voiced his opinion in not of support of the rubber matting that contains carcinogens. Urged residents to not approve the plans.

End of public comment.

The purpose of the meeting was to discuss the playground matting. Chair Kemnitzer asked for Committee Comments. Committee Member Watson, there is no perfect answer. There are risks with everything. Committee Member Bordon, questions about natural turf, not fall proof or ADA compliant, not an option. Committee Member Lund shared her screen with a presentation as sand as an option.

Committee Member Lund called for a motion at the end of her presentation as follows. Consider a motion that the Parks and Open Spaces Committee asks that the City Staff remove the degraded mats from the Belvedere Playground, fill in the previously matted areas with sand, confirm the ADA compliance of the concrete walkway, and to make adjustments if necessary. Hire a firm to do an overhaul of the current play equipment and the pot area repair, water blasting, painting freshening up and making the playground just like new. Budget \$5000-\$10,0000 for the project.

Chair Kemnitzer voiced his disappointment in Committee Member Lund's refusal to accept the democratic decision that was made about the playground. He reviewed the process that was followed.

There was discussion as to a motion to reaffirm a previous decision by Committee Member Valente about the pip surface matting. Committee Member Walker read a portion of the City Staff Report and sees no need for a motion. Council Member Campbell brought to attention that Committee Member Lund made a motion and to call for a second to her motion. There was no second.

MOTION - Committee Member Valente made a motion to reaffirm the earlier decision regarding PIP surface matting that the City has already adopted and approved and recommend staff proceed with next steps for the already approved and proposed design. Seconded by Committee Watson. Director Zadnik took a roll call. Motion passed as follows;

AYES: Kemnitzer, Pearson, Bordon, Walker, Watson, Valente

NOES: Lund

ABSENT: None

ABSTAIN: None

Chair Kemnitzer gave many thanks and reviewed the two phases and wants to move ahead quickly.

Meeting adjourned 5:39 PM.

THE FOREGOING MINUTES were approved at a regular meeting of the Parks and Open Space Committee on March 11, 2021 by the following vote:

AYES: Kemnitzer, Pearson, Bordon, Walker, Watson, Valente, and Lund

NOES: None

ABSENT: None

ABSTAIN: None

Subject: Playground progress
Date: Monday, August 9, 2021 4:21:04 PM

My wife and I are contributors to the new playground in our park. We are dismayed by the delay of construction resulting from objections to the proposed playing surface which appear to have no support from either public health or medical science. We expect that an approved playground material derived from recycled children's toys, shoe soles, and babies' pacifiers will be safe for our children, and hope the City will move ahead with the playground construction as designed. Thank you and please include our letter in the records relating to the playground.

Bunny and David Cobb
80 Beach Road, Belvedere

Subject: Belvedere Playground/Tot Play Area - 10 Year Cost Projection - PLEASE ADD TO 8/9/21 CC AGENDA PACKET, ITEM 15
Date: Sunday, August 8, 2021 2:59:14 PM

Dear City Council Members,

A wood chip play area is about one-third of the cost of an all-PIP play area over a ten-year period.

The 10-year projected cost for an all-pip tot play area is \$425,000.

This includes an initial estimated investment of \$300,000, plus \$25,000 in maintenance costs, \$10,000 to remove and dispose of old PIP in year 6 when carcinogenic elements are seriously exposed, and \$90,000 for new PIP. The resurfacing would likely be done in year 6 when the warranty has expired and similar PIP surfacings in the area have shown serious degradation of the membrane. We need to be realistic.

The 10-year project cost for an all-wood chip (EWF) tot play area is \$150,000. This includes an estimated investment of \$115,000, plus \$35,000 in maintenance and chip replacement costs. Note: “maintenance” quoted by RZ includes new chips, which are typically refreshed every two years, but which RZ has budgeted annually.

Note, these *figures are for just the tot play area*. They do not include investments and maintenance costs for the other half of the playground designated for school age children.

Year	A All PIP	B All EWF	C PIP+EWF
Investment	\$300,000	\$115,000	*
1	\$2,500	\$3,500	*
2	\$2,500	\$3,500	*
3	\$2,500	\$3,500	*
4	\$2,500	\$3,500	*
5	\$2,500	\$3,500	*
6	\$102,500	\$3,500	*
7	\$2,500	\$3,500	*
8	\$2,500	\$3,500	*
9	\$2,500	\$3,500	*
10	\$2,500	\$3,500	*
Total	\$425,000	\$150,000	*

Footnotes:

B2 - In fundraising materials, the city staff has given the “official estimate done range” as \$205,000-359,000. B. Kemnitzer has quoted \$308,000 in the Ark.

C2 - Upfront cost of EWF = design fees \$9,000* + demolition \$10,000 + wood chips installed

Subject: Playground
Date: Friday, August 6, 2021 6:37:34 PM

The design of the playground was approved by the City Council in October of last year.

The Parks and Open Space Committee, and the City, have subsequently done extensive and exhaustive research into the safety of the materials for the proposed improvements to the playground and deemed them safe.

I urge the City to support and approve the Playground as Designed.

Subject: Concerned Parent for Belvedere Park
Date: Friday, August 6, 2021 8:59:54 AM

Dear James and Beth,

My husband and I are writing to you in support of the playground design. I do not support the changing of design to include more wood chips. It is unsafe and frankly, absurd that we are considering this change. Anyone with a basic understanding of child development would understand why this is not a sound option. We donated \$1,000 with the understanding that this would be completed and if not, will be requesting those funds returned.

On a separate note, it is unfortunate to see so many funds marked for senior activities and yet, the public park has been in disarray for years. When will the city start making the effort to support families and the continuing shift in demographics? I have children at Belvedere, Hawthorne and Reed and will be messaging this out throughout my networks.

Please get this project done - our children deserve better.

Best regards,
Danielle & Bismarck Lepe
Thatcher (age 6)
Rothschild (age 4)
S. Grey (age 2)

Subject: Playground Review, Monday August 9
Date: Sunday, August 8, 2021 11:20:22 AM

To the Belvedere City Council:

I am writing to you as a donor to the playground restoration project and a soon-to-be grandparent who looks forward to many happy visits to the updated playground.

I support the playground restoration as designed. My husband and I donated to the project under the belief that it would go forward as approved.

There is no perfect playground surface available; each has its drawbacks. My children enjoyed many hours of play in the sand, but there is no question that sand requires a huge amount of maintenance and is attractive to local pets as a giant litter box. In addition, the dust can be hard on little lungs. A processed wood chip surface seems like the worst of all choices; it doesn't have the play value of sand but still requires steady maintenance and replenishment. Even a sales pitch for engineered wood fiber notes that the surface needs regular raking and replenishment and that supplementary mats should be placed under slides and swings to reduce displacement. <https://www.totturf.com/playground-surfacing/engineered-wood-fiber/engineered-wood-fiber/> My daughter, a former gymnast and pole vaulter who has experienced her share of falls, commented on how unpleasant it was to fall into wood fiber, as she would inevitably get splinters. Finally, if my garden is any indication, the local animals will transfer to using wood fiber as a litter box if sand is no longer available.

Rubber matting is safe for falls and easy even for toddlers and those with mobility impairments to navigate. The most serious drawback appears to be the potential for children to ingest carcinogens once the matting has begun to break down. There's a simple solution to that problem; replace the matting when it becomes worn. Our eagle-eyed parents will certainly spot any problems and will most likely be happy to contribute to the cost of replacement.

I would like to see the playground project move forward quickly without further redesign, using the materials already specified.

Thank you,
Debra Fisher
22 Peninsula Road, Belvedere

Subject: Please provide this to the Council as written communication from the Public.
Date: Thursday, August 5, 2021 11:50:25 AM

From William Rothman (Please excuse the formatting. I am not good with such things.)

To Belvedere City Council,

Communication to the Council for August 9 meeting playground agenda item..(Beth, please acknowledge receipt of this email)

After July's meeting, extensive discussion, including Carolyn Lund's masterful presentation, and the statement by Jean Borden, the Chair of the Parks and Open Space Committee, rejecting PIP, specifically because of its carcinogenic content, One would have thought that the possibility of Belvedere intentionally imposing upon children's health, a Playground surface of Carcinogenic PIP particles would have been consigned to the dust bin of Belvedere rejected planning proposals.

But here we are again, considering three Playground surface alternatives, only one of which, Engineered Wood Fiber (EWF) would, wisely and safely be all natural, while the other two, unwisely and unsafely, would contain Carcinogenic Particle PIP material.

So, here we go again:

As in Ground Hog Day, let us reviewing the carcinogenic-danger questions involved.

1) Do we want Children in our park to be exposed to carcinogenic particles,, especially by handling them, and even worse, by swallowing them, since they look like raisins or small candies.

The Answer is a resounding NO.

2) Does PIP shed carcinogenic particles within 2 years. Answer Yes it does, raisn-like particles that children will eat. Carolyn Lund's presentation photos made that terrifyingly clear.

3) Which of the alternatives being considered will prevent children being exposed to and eating the Government-agency-designated carcinogens, Butadiene, Styrene, ethylene and propylene, all of which are in PIP particles?

Only EWF achieves that absolutely required safety goal.

4) The Mayor and Bryan Kemnitzer have said that these chemicals, which they acknowledge are in PIP, are not carcinogenic: Here are reference-dited written statements from government agencies, concerning the carcinogenicity of exactly those chemicals:

Butadiene

Quote from United States Department of Labor, website link [ww.osha.gov/butadiene/health-effects](http://www.osha.gov/butadiene/health-effects)

“Based on human and animal studies, the EPA has classified 1,3-butadiene as a known human carcinogen.”.

Styrene

Quote from United States Department of Labor Website link [.osha.gov/styrene/hazards](http://www.osha.gov/styrene/hazards)

“Reasonably anticipated to be a humans carcinogen.”

Propylene

CDC website link

Quote from CDC website link <https://www.cdc.gov/niosh/docs/89-111/default.html>

“Studies in animals have demonstrated that propylene oxide is a direct-acting carcinogen”

Ethylene

NIH CDC Website link: <https://www.cancer.gov/about-cancer/causes-prevention/risk/substances/ethylene-oxide>

“Lymphoma and Leukemia are the cancers most frequently reported to be associated with occupational exposure to Ethylene Oxide. Stomach and Breast Cancers may also be associated with ethylene oxide exposure.”

At the July 12, meeting, the Mayor, as he is quoted in the Ark article, and as the recording of the meeting attests, seeks to assuage public concerns by saying people should not worry about children swallowing the raisin-appearing carcinogenic articles, because the particles will not taste good to the children.

I, for one, cannot imagine any parent sharing the Mayor's confidence that the discerning palates of little children, yes, even of Belvedere little children, can be relied upon to protect them from swallowing the small raisin-appearing PIP carcinogenic particles.

5) The Staff report fails to note that PIP contains 4 carcinogens in its particles, Ethylene and Proylene in its outer layer, particles which, due to scuffing, begin to flake off almost immediately after installation, and Butadiene and Styrene in its underlayer, the particles of which will come to the surface through cracks in the outer surface.

6) At the last meeting the Mayor made the statement that, in 2007, the California Office of Health Hazard assessment had said PIP was not dangerous. As Council Person Lynch pointed out, that report had not been about PIP, The fact of the matter, to correct the Mayor's misunderstanding of the current situation, is that, as the RHAA letter points out "We acknowledge that at the present time the California Office of Environmental Health Hazard Assessment is studying PIP safety issues" This is because of new safety concerns of which scientists and the public have become aware since the original report 14 years ago.

7) Bryan Kemnitzer's claim that SBR Rubber (containing Styrene and Butadiene) would not be used. Is contradicted by the very RHAA letter he cites. RHAA states: "Styrene and Butadiene are present in the pre-consumer postindustrial reclaimed rubber that would be used as a base layer for this project. There are no Non-Recycled rubber base layer materials available on the market"

.

8) Bryan Kemnitzer's letter states: "Despite asking those opposed to the poured-in-place rubber matting for substantive research papers in support of the "theory" that rubber matting is carcinogenic, the opposition has failed to provide any substantive research papers."

The Facts shown above, in the list of Government agency designations of PIP constituents as being carcinogenic, show, and I am sorry to say this, Bryan's confusion in this matter.

9) The staff report makes the frightening suggestion that, as would be the case in the mixed mosaic, PIP and Wood Chip alternative, Carcinogenic Particle Pip is used, it would be used on the "climbing hills" used by the smallest children. In fact one of scariest photos on our leaflet is the manufacturer-provided photo of a small child crawling on PIP. It is obvious that such a

small child, thinking the particles are candy or raisins, would eat them.

10) For the reason made clear at the previous meeting, and made clear in the extensive Ark article, and provided in the discussion above, the Alternative of “All PIP, Everywhere” would be terribly dangerous., But the “Some PIP, Some Places” alternative would be only slightly less dangerous. , Only the ”EWF Everwhere” alternative, with no PIP, provides necessary safety, along with ADA compliance.

Conclusion: Belvedere Residents given the choice between an all natural EWF surface and one made up completely, or partially of PIP Carcinogenic particles, would certainly overwhelmingly choose natural Engineered Wood Fiber, and, as you know, our City’s ballot initiative process guarantees that it always the public who can, if they so wish, take charge of decision making in all matters. .

One can hope that the Council will vote to install EWF, but please be assured that, if, instead, PIP is installed, there will be many times the required number of residents signing a ballot initiative to require a public vote to force removal of all PIP carcinogenic particle materials and their replacement with Natural materials.

Sincerely,

Bill Rothman

Subject: Belvedere playground
Date: Monday, August 9, 2021 11:03:04 AM

Hi Ms Haener

Hope this note finds you well.

We appreciate everything the city is doing to improve the conditions of the Belvedere Park Playground. At present time, the playground matting has a number of fractures which cause our young children to trip and fall all the time, in particular around the toddler area. I am writing to let you know that I support the playground as designed and that I will be making my donation based upon the design and the rubber matting. I trust the team that put this together, and I trust our city to make a decision to solve the current situation in the best interest of our children.

Please include my email in the record for the Monday August 9th meeting. Thanks.

All the best,
Elizabeth Gaito
306 Bella Vista Ave

Subject: Support for park as designed
Date: Monday, August 9, 2021 1:17:28 PM

Beth, as stated in the town hall zoom from a few months ago I want to reiterate that I support the playground as designed. I have made a meaningful donation of my time in developing the project to date and plan to continue to support the project based upon the design with the rubber matting.

Please provide to city council for the August 9th meeting.

Thank you

Ethan Doyle

Ethan Doyle

Subject: Belvedere Park
Date: Friday, August 6, 2021 11:20:11 AM

Hi James and Beth –

My wife and I used to live up on Bayview, but now live over in Tiburon. We frequent the Belvedere Park quite a bit with our two young boys, Henry and Cole. I was previously helping out on the park committee and now mostly watching the debacle from the sidelines. Someone in the city needs to take responsibility for improving the park. The plans were completed, funds have been raised and the large majority of the town and users of the facility demand the work to be completed. It is unconscionable at this point to let the park remain in it's current condition and continue to field input from a vocal minority about changes to the plan. If that process is followed, nothing will ever get done. In my opinion, the city is opening up themselves to a lawsuit by keeping the park in it's current condition of disrepair. Someone could very well get hurt by tripping on the matting that is falling apart. I encourage one or both of you to figure out a way to move the project forward in the near term, as there is momentum to get it done. If you lose that momentum and donated funds, the park will be in it's condition seemingly forever. This is not complicate stuff, but requires leadership from someone at Belvedere to make a call. I suggest you guys figure out who that needs to be and get it done.

Happy to help if I can.

Best,

-Greg, Katya, Henry and Cole Spencer

\$15,000* + play structures \$81,000* = \$115,000, *quoted by R.Z & rhaa in the 8/9/21 meeting packet and play structure invoices used in the project fundraising materials
B3 to B7 and B9 to B12 - Maintenance fees quoted by R.Z. in 8/9/21 council meeting packet
B8 - Maintenance \$2,500 + removal of old PIP \$10,000 + new PIP installed = \$102,500
C4, C6, C8, C10, C12 - Annual raking and topping off of EWF, quoted by R.Z. in 8/9/21 council meeting packet
D2 to D12 - insufficient data, need cost of PIP mounds, square footage of PIP and EWF areas, and maintenance costs

Subject: Proposed Playground
Date: Friday, August 6, 2021 6:02:34 PM

I support the playground surfacing material as was approved by City Council last October; rubber matting. I am a donor for many reasons but specifically due to the attention that the design team has made towards safety and caution to the existing environment. It will be a masterpiece.

With much appreciation for your time and review of this community effort.

Cathy Cole
(Mother of four children who have shared endless hours of fun at Belvedere Park).

Subject: Re: Belvedere Playground
Date: Sunday, August 8, 2021 11:22:08 PM

Hello,

We adamantly support the playground remodel as currently envisioned and designed. We use it weekly for our two toddlers and putting wood chips throughout would be a terrible outcome. The playground and perimeter fencing is falling apart and needs this redesign immediately.

Sincerely,
Chad and Mariana Burns

Chad Burns |

We support the playground as designed. We know the team has put an enormous amount of effort and thought into this project, all with the children's well being in mind first and foremost. Additionally, as parents of 2 young children who go to the playground almost daily, we are very against using wood chips in the entire surface area - they are not ideal for young kids especially those who are still learning to crawl and walk, and most importantly, who often put everything in their mouths - this wood chips are both a choking hazard and unsanitary. We therefore do not support changing the design to include more wood chips. Please get the project done.

Sincerely,

Mariana and Chad Burns

Max (3) and Oliver (1)

Subject: Playground Material for Belvedere Playground
Date: Friday, August 6, 2021 11:22:29 AM

Beth, We are donors for the new proposed playground, and we wholeheartedly approve of the surface material as designed and approved last October. We were recently in Paso Robles, and took our grandchildren to a wonderful park in the downtown area and the entire surface was of the same rubber surface material planned for Belvedere. We have heard from experts and we are convinced that it is safe.

Warm regards, Jean and Tom Cromwell

Subject: For this evening's City Council meeting - Playground
Date: Monday, August 9, 2021 12:21:10 PM
Attachments: [image012.png](#)

To the City Council:

I am a member of the Parks and Open Spaces Committee (POSC) for the City of Belvedere.

As you know, the POSC and the playground sub-committee has been working for almost 2 years on the development of a plan for the renovation of the playground at Belvedere Park. The Park, and the playground, are at the heart of our community and is the main gathering place for Belvedere residents of all ages – from concerts in the Park to daily play. If the past year and a half of Covid isolation has taught us anything, it is the need for our community to come together and enjoy each other's company!

The playground is currently in a woeful state and it is imperative that we move forward to recreate our playground as a place for our children to gather and play together. The current playground design was approved by the City Council last fall – over 9 months ago. The community has raised a considerable amount of money to rebuild the playground as a place for children with different abilities, including those using strollers and wheelchairs, to be able enjoy themselves. The poured-in-place rubber surfacing, the source of so much discussion, was chosen with care by the POSC and the sub-committee as the surface which was the best available to accommodate the wide variety of uses and considerations – accessibility, cost, safety, and ongoing maintenance. While this surfacing may not be a perfect solution, in the opinion of the committee, which was tasked with the evaluation of the playground plans and construction, it is the best option.

In addition to being a POSC member, I have previous personal experience with playground renovations and balancing interests when making decisions for playground surfacing.

We moved from Georgetown, Washington DC 5 years ago. There, I was a board member of the Friends of Volta Park for a neighborhood park which also served as a community gathering place for a variety of uses – including a playground. In 2013, together with the DC City recreation department, the FOVP worked with a landscape architect to plan and raise funds for a complete renovation of the playground. The old surface of the Volta Park playground was wood chips (see the photo below), which was replaced with PebbleTex poured in place rubber surfacing. Like the discussion in Belvedere over the past few months, residents had very strident opinions about the use of rubber surfacing and his change was hotly debated.

However, I can personally attest to the fact that for Volta Park, the change from the wood chips to the poured in place surfacing led to a significant improvement in the enjoyment of the playground – which is the whole point of a playground! The wood chips were dirty - dusty in dry weather and muddy in wet weather – and the new surfacing allowed kids and their parents to easy access the equipment and move freely around the various aspects of the playground.

In addition, one of the main concerns that has been voiced about the poured-in place rubber surfacing is that it will break down over time, be damaged or otherwise have the surfacing broken such that the children will be exposed to the subsurface materials.

I have attached some photos below showing the Volta Park playground from 2013, when the surfacing was new and then from 2019, after 6 ½ years of heavy traffic from kids, parents, strollers, bikes and scooters. As you can see, even right by the gate to the playground, where there is the greatest impact on the surfacing. Unlike wood chips, which have to be replaced very often due to compression, disintegration and kids kicking it away, it is tough material!

Old Volta Playground with wood chip surface



Renovated Volta Park Playground with poured in place rubber surface (2013)



Volta Park playground (2019)



Volta Park playground (2019)



I would like the City Council to approve the playground design plan without changes in order to move forward with the renovations to the playground. A considerable amount of funds have been raised from the community for this effort and it is unfortunate that a this project is being prevented from moving forward. Now that we can gather outdoors again, our kids need a place to play together safely!

Thank you,
Jena Q. Watson

Subject: Playground surface
Date: Friday, August 6, 2021 1:38:23 PM

Hello Beth,

Please transmit my support of a rubber surface for the playground at Community Park to the City Council. I have closely followed the discussions of the pros and cons of such a surface and am even more convinced that it is the appropriate choice. Let's stop the discussions and get on with the actions.

Thank you.

John Pearson
74 San Rafael Avenue

Sent from my iPad

Subject: Playground Approval
Date: Friday, August 6, 2021 10:52:38 AM

Belvedere City Council c/o Beth Haener,

I fully support the playground as designed (with the rubber matting) and approved previously by the City Council.

One of the reasons that I became a donor is that I feel that the design is a good one, and, as a donor, I urge the City council to move forward with the current design.

Sincerely,
John Swain
89 Beach Road
Belvedere, CA USA 94920

Subject: Belvedere Playground
Date: Saturday, August 7, 2021 9:05:51 AM

Hello Beth,

I am sending you this email to let you know that Chris and I fully support the playground project as currently designed including the rubber matting. We have pledged a significant donation as we consider the current design to be excellent and completely safe for use by children. We hope the City can move forward with the project as quickly as possible. Regards, John Telischak

John C. Telischak
President
Telischak & Company

Subject: Playground
Date: Monday, August 9, 2021 9:49:57 AM

Hi Beth

My wife Dawn O'Dell and I contributed \$1000 to the renovation of the playground. We would like to see this project completed w the rubber mats and to have the project completed ASAP. Please enter this email into the public record.

Jon Krabbenschmidt
16 Cove Road
Belvedere, CA

Get [Outlook for iOS](#)

Subject: Belvedere Playground Renovation
Date: Monday, August 9, 2021 4:10:52 PM

Dear Ms. Haener and Mr. Campbell,

It has been brought to my attention that the council is considering changing the plans for the playground renovation to include tanbark. We support the playground as designed, and do not support changing the design to include wood chips. This material is not safe for young children.

We really want to see this project happen as planned, and do not feel it is right to change the design once so many have contributed to support the plans as designed. I really hope the council reconsiders this idea and sticks to the plan that so many families have already donated to support.

Thank you for your consideration.

Sincerely,

Kate, Erik, Emma (5) & Jack (3) Larson

Kate Larson

Subject: Playground
Date: Friday, August 6, 2021 2:08:37 PM

I am writing in support of the original playground plans approved by the Belvedere City Council. There have been many discussions of the surface pros and cons. I am convinced that the original plan is the most appropriate one.

Kathy Pearson
74 San Rafael Avenue

Subject: Belvedere Playground
Date: Saturday, August 7, 2021 12:29:02 AM

Dear Mayor, Dear City Clerk,

We just purchased a home in Belvedere last year where we happily live with our young family with children of ages 3 and 6yrs. I have been made aware that the current design of the playground is at risk of being modified in a detrimental way.

I support the playground as designed. I do not support changing the design to include more wood chips. It's important that the city gets this project to completion- time is of essence.

More and more families with children are moving to Belvedere- we should be able to advance forward projects that (as I understand) are mostly founded by the very residents who use playground and one that uses current and up-to date technologies with safe, ergonomic and aesthetically pleasing practices *over* the antiquated, choke-hazard and unstable surface that wood chips would provide.

Wood chips would exclude the 0-2yr old age group, anyone with a disability or injury needing to use a wheelchair, cane or crutches, higher maintenance (cleaning, sweeping back into place, loss of chips, etc.) and the list goes on.

I can appreciate the city is in a tough spot, having to mediate many contradictory views! But I do hope the design that moves forward is the the one that will best serve *our children*.

Sincerely,

Laura- mother of Maïa (3) and Milan (6).

Subject: Belvedere Playground
Date: Thursday, August 5, 2021 8:30:42 PM

Dear James and Beth,

As a Belvedere resident, we are anxiously awaiting the playground upgrade. We were so excited to see the plans when they came out. It has been brought to my attention that the council is considering putting in tanbark throughout. This deeply upsets me as a mom who goes to the park daily. I have a baby due in 5 days and with two older children, I expect to spend many afternoons at this park. Unfortunately tanbark is a horrible surface for babies. They can eat it and choke on it. That is why there is currently a hard surface underneath the baby swings and baby playground. I really hope the council reconsiders this idea and sticks to the original plan; the plan that so many local parents have donated and fought to have happen.

Thank you for your consideration,
Lindsey Burmeister

Mom of:
Brooks (6 yrs old)
Lucy (3 yrs old)
Baby on way

Subject: Belvedere playground renovation
Date: Friday, August 6, 2021 10:35:01 AM

Hello,

We emphatically support the playground as designed. We do not support changing the design to include more wood chips.

In fact, our family donated funds with the original design in mind. If the design changed, we would ask for the city to refund our donation.

Please get this long overdue project completed.

Finally, we want to extend our warmest appreciation for Bryan Kemnitzer and all his efforts. He is a community treasure, and we are so thankful for this unwavering civic leadership.

Best,
Mario & Marci Valente w/ Alegra (age 11), Gisele (age 10), and Cosette (age 5)
14 Laurel Ave.

Subject: Fwd: playground renovation question
Date: Monday, August 9, 2021 8:14:46 AM

Please include my correspondence with SF Recreation and Parks Department in tonight's City Council agenda package.

Mario Valente

Sent from my iPhone

----- Forwarded message -----

From: Ruppert, Cara (REC)
Date: Thu, Apr 1, 2021 at 5:51 PM
Subject: RE: playground renovation question
To: Mario Valente

Hi Mario,

My apologies on not getting back to you sooner. This email slipped through the cracks while I was getting ready to leave on vacation. SF Rec and Park has studied this issue with suppliers, testing agencies, and our own Department of the Environment. Overall, the findings are very positive and Rec and Park is continuing to install this material. If this question is still relevant, I can provide some more information for you. Please let me know if that would be helpful. Again, I apologize for the delay in responding!

Thanks,

Cara

Cara Ruppert

Project Manager

San Francisco Recreation and Park Department | City & County of San Francisco

49 South Van Ness Avenue, Suite 1220 | San Francisco, CA | 94103



From: Mario Valente
Sent: Thursday, February 18, 2021 4:01 PM
To: Ruppert, Cara (REC)
Subject: playground renovation question

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Cara,

I currently serve on the Belvedere Parks & Open Space Committee in Marin County, and we have recently approved a major renovation to our city's dilapidated playground. Frankly, our renovation is modeled after the amazing work that San Francisco recently completed for its playgrounds.

However, we have fielded some citizen concerns about the possible carcinogenic safety hazards associated with synthetic surfacing. It appears to me that there is a lot of misinformation about this particular topic.

Could you refer me to the appropriate person at the Recreation & Park Dept or at SF Parks Alliance that is well-versed on this topic? Given that San Francisco ultimately adopted synthetic surfacing for its renovated playgrounds, I presume this issue was addressed successfully. Any information or talking points that this individual could provide me would be greatly appreciated.

Thanks so much for your time and consideration.

Best,

Mario

Subject: Playground
Date: Monday, August 9, 2021 9:45:34 AM

Hello Beth,

This note is to express my support for the playground as designed with the rubber matting , since the crumb rubber is specifically not specified and as also the recycled styrene- butadiene rubber is not specified.

Artificial grass which many are now using is made from crumb rubber from tires which is problematic.

Please forward this to City Council members for tonight's meeting.

Thank you,
Marsha Lasky
12 Pelican Point
Belvedere

Sent from my iPad

Subject: Playground as Designed
Date: Sunday, August 8, 2021 10:06:48 PM

As a donor to the playground renovation I support the design with the rubber matting and ask that this email be included in the record for the City Council meeting on Monday, August 9th.

Regards,

Michael Lasky
12 Pelican Point Road
Belvedere, CA

Subject: Belvedere Park Playground
Date: Monday, August 9, 2021 10:33:36 AM

Hi Ms Haener

Hope this note finds you well.

We appreciate everything the city is doing to improve the conditions of the Belvedere Park Playground. At present time, the playground matting has a number of fractures which cause our young children to trip and fall all the time, in particular around the toddler area. I am writing to let you know that I support the playground as designed and that I will be making my donation based upon the design and the rubber matting. I trust the team that put this together, and I trust our city to make a decision to solve the current situation in the best interest of our children.

Please include my email in the record for the Monday August 9th meeting. Thanks.

All the best,
Pablo Gaito
306 Bella Vista Av

Subject: Belvedere Park
Date: Saturday, August 7, 2021 7:44:32 AM

I support the playground as designed. I do not support changing the design to include more wood chips. Please get the project done.

Sincerely,

Pamela Touma Rishwain, Gia age 9 Antonio age 8, Mila age 4

Sent from my iPhone

Subject: Belvedere Park Project
Date: Friday, August 6, 2021 9:41:37 AM

Belvedere City Council-

I am writing in support of moving forward with the current planned park design. This design plan came to being over the course of 30 months of meeting, planning, research, and surveys of park goers, members of city management, and park planning commissions in neighboring towns in Marin.

I am a parent of 3 children (age 8, 5 &3). We come to the park almost daily and consider it a second home. Despite our love for the park it is clear it needs some tender love in the form of a renovation. I am surprised to learn the City Council is considering altering the prescribed (and nearly funded) plan to appease a loud minority who only use the park to stage opposition to a new and improved environment for our community's kids. Aside from needlessly scaring children while at the park, the opposition is needlessly trying to instill fear in parents by proclaiming unsubstantiated claims that the park will be built using carcinogenic materials.

Rubber matting is a safe and efficacious surface material as outlined in the US consumer Product Safety Commission's Public Playground Safety Handbook (page 10). It is a far better material than the woodchips which are now being proposed. The wood chips need to be cleaned/maintained/exchanged frequently. The wood chips limit use of the park by excluding members of our community who are disabled, and it precludes use by children who are still crawling or are unsteady on two feet.

Members of the community who actually use the park have vetted this plan and are in support of this plan. They have raised funds for THIS SPECIFIC PLAN and are excited to finally get this plan going. I have heard grumblings (and I believe them) of contributors withholding funds should these plans change.

Please consider why we are updating Belvedere Park and who will be using the park. Children of Belvedere and surrounding towns are deserving of the park as it is designed. ALL children/parents should be able to make use of this park.

Lets do it!

Peleg & Tracy Perelmuter
Belvedere, CA

Subject: playground
Date: Friday, August 6, 2021 10:51:18 AM

Hello Beth-

Both our kids and our grandchildren have a huge number of hours at this playground and we strongly support having it updated with the rubber making as proposed.

Regards,

Richard & Karen Hyde

10 Bayview Ave.

Subject: Belvedere Playground
Date: Saturday, August 7, 2021 10:27:57 PM

Dear James and Beth,

I appreciate the diligence that has gone into researching the materials used for the new playground.

That said, I really like the design that I donated money to and I had really hoped to use this new playground as soon as possible. I think changing plans will cause years of delay and honestly, we need a playground. The current state of the playground is extremely disappointing, to say the least. I understand why we stopped using the sandpit but having 1/3 of the space unusable is a bit ridiculous and it looks terrible.

Let's get going on the playground we signed off on and move forward with the current plans. We need a comfortable place to take our families. For the families with elementary school age children, Belvedere Playground is the most important and integral piece of our community. We want and need it up and running as soon as possible.

Thank you for your time in this matter and for your dedication to our community.

Sincerely,
Ruby King

Mom of:
Sterling (5 years old)
Estelle (2 years old)

...hopefully no more babies but you never know (it is Tiburon).

Subject: City of Belvedere Playground Renovation
Date: Monday, August 9, 2021 2:06:40 PM

Dear Mayor Campbell and City Council Members,

It has come to the attention of the Belvedere Community Foundation that the City Council is deciding the PIP issue with the playground improvements this evening.

I would like to make it clear that the BCF Board has never expressed an opinion on the PIP issue and has specifically chose not to do so. The BCF's pledge is specific as to sail coverings for the planned playground improvements.

The BCF has intentionally taken no position on any materials proposed or chosen for the Belvedere playground renovation.

Thank you,
Sue Hoeschler
Belvedere Community Foundation President

Subject: Playground plan change / donation
Date: Monday, August 9, 2021 9:01:32 AM

Hello,

I'm writing in regards to the playground change of plans- my family has donated funds with the original design in mind, and emphatically support the playground as designed. We do not support changing the design to include more wood chips.

We would kindly ask for the city to refund our donation if this plan is changed to something lesser and not up to par with the original concept and materials.

Thank you,

Todd and Taylor Rovak
Reid Rovak (5) and Asher Rovak (3)

Subject: Playground
Date: Monday, August 9, 2021 11:32:39 AM

I have donated to the Belvedere playground and support the decision to use the rubber matting as originally approved.

Thank you,

William Newland at 129 Bayview Avenue since 1980